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THE
SOUTH CAROLINA
HISTORICAL MAGAZINE

Vol. LVI



No. III

JULY, 1955

PUBLISHED QUARTERLY BY THE
SOUTH CAROLINA HISTORICAL SOCIETY
CHARLESTON, S. C.

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Contributions to the *Magazine* should be sent to the Editor, South Carolina Historical Society, Fireproof Building, Charleston 5, S. C. Correspondence in regard to other matters should be sent to the Secretary at the same address.

Entered as second-class matter at the Post Office at Charleston, South Carolina, under the Act of August 24, 1912.

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ROBERT W. BARNWELL

By DANIEL WALKER HOLLIS
University of South Carolina

Robert Woodward Barnwell, United States representative, third president of the South Carolina College, and United States and Confederate senator, was born in Beaufort, S. C., on August 10, 1801.¹ The Barnwells were wealthy and prominent rice planters, and his father, Robert Barnwell, served a term in Congress during the 1790's. The youthful Robert was educated in the private schools of Beaufort and Charleston, and entered Harvard in 1817.

At Harvard he excelled in all phases of collegiate activity, and soon became the acknowledged leader of the brilliant but obstreperous class of 1821, whose endless pranks and escapades caused old John Adams to suggest that flogging be revived.² Barnwell received the distinction of being elected to Phi Beta Kappa while still a junior, and he was the valedictorian of his class, which included Ralph Waldo Emerson.³ The South Carolinian made a notable impression on Emerson, with whom he formed a lifelong friendship, and his valedictory address, in which he declared that "The childhood of our country has past. . . . We have broken from the mental thralldom, under which a foreign literature has too long confined us. . . . We will live for ourselves. . . . We will turn to our own history . . . let us unite all our powers to promote the establishment of a national literature," set forth a theme that Emerson later expounded in his famous Phi Beta Kappa address, "The American Scholar."⁴

After graduating from Harvard in 1821, Barnwell studied law in the office of Petigru and Hamilton in Charleston, practiced law in Beaufort, and represented Prince William district in the legislature in 1826-27. He served only one term in the legislature, where his graceful manners, charm, and tasteful attire reminded Benjamin F. Perry of a young English nobleman.⁵ From the legislature he advanced to Congress,

¹ *Dictionary of American Biography*. Sketch of Barnwell in *The Garnet and Black* (Columbia, 1899—), 1899 p. 61, gives August 1 as date of birth

² Samuel Eliot Morison, *Three Centuries of Harvard* (Cambridge, 1946), pp. 209-210.

³ Ralph L. Rusk, *The Life of Ralph Waldo Emerson* (New York, 1949), pp. 67, 72.

⁴ *Ibid.*, pp. 84, 264.

⁵ *Reminiscences of Public Men* (Philadelphia, 1883), p. 124.

serving two terms in the House of Representatives. Although he had been elected without opposition, Barnwell declined to offer for reelection, and relinquished his seat in 1833. In 1832 he attended the nullification convention and signed the ordinance. David D. Wallace lists him as one of the more prominent nullifiers, but he was never an extremist, and was always conciliatory and moderate in his approach to controversial issues.⁶

In 1835 the trustees of the South Carolina College summoned him from private life in Beaufort to be president of the College, which then tottered on the brink of disaster as a result of the religious and political controversies created by the administration of Thomas Cooper.⁷ Cooper's needless forays into religious matters had so antagonized the general public that enrollment dropped to twenty in the fall of 1834.⁸ Barnwell, who was thirty-four when elected president, had had no experience whatsoever in academic administration, but he succeeded admirably in restoring public confidence in the College. A strong faculty, including Francis Lieber and James H. Thornwell, was assembled, and enrollment soon neared the two-hundred mark. Barnwell demonstrated considerable ability as a disciplinarian and teacher, and was masterful in his dealings with the board of trustees and the legislature.⁹

Largely through Barnwell's efforts, legislative appropriations were sharply increased, and an impressive building program was launched, including the present Lieber, Pinckney, and Elliott Colleges. The most notable accomplishment of his administration, however, was the erection of the present South Caroliniana Library. When Barnwell became president in 1835, the library was housed in a very unsatisfactory building, and the book collection was most inadequate. The trustees, acting on the president's recommendation, began construction of a new library in 1838, and the structure was completed in 1840 at a total cost of \$23,900.¹⁰ This was the first separate college library building in the nation, and it continued to serve in this capacity until the McKissick Library was completed in 1941. The old library is now devoted exclusively to South Caroliniana material, and, with its Millsian façade, remains the most attractive building on the University campus.

⁶ *South Carolina, A Short History, 1520-1948* (Chapel Hill, 1951), p. 397.

⁷ Dumas Malone, *The Public Life of Thomas Cooper* (New Haven, 1926), pp. 330-360.

⁸ Daniel W. Hollis, *South Carolina College*, Vol. I of *University of South Carolina* (Columbia, 1951—), 119.

⁹ *Ibid.*, Chap. ii.

¹⁰ Minutes of the board of trustees of the University of South Carolina (MS, Treasurer's Office), November 27, 1839, May 6, 1840. Hereinafter cited as trustees' minutes.

Barnwell was not content with merely erecting a new building, and in 1838 he reported to the trustees that the College's book collection was sadly deficient in almost every department of science and literature. "Rich, intelligent, and liberal as is the State of South Carolina," he asserted to the trustees, "it should not let another day pass without remedying this situation."¹¹ Through his efforts the legislature was induced to make an annual appropriation of \$2,000 for books. Within ten years the College library was one of the two best in the South, equal to that of the University of Virginia, and larger than those of Princeton and Columbia.¹²

Despite his considerable success as a college president, Barnwell resigned in 1841, pleading poor health, although he lived until 1882.¹³ He never lost his interest in the institution, however, and during the ensuing two decades he was one of the most energetic and influential members of the board of trustees. In 1850 Governor Whitmarsh B. Seabrook appointed him United States senator, following the death of Calhoun's successor, Franklin H. Elmore, who died a few weeks after taking the oath of office. Barnwell served only six months, but he made a favorable impression on the Senate, and Daniel Webster, after having listened to one of Barnwell's speeches, asked if "South Carolina kept United States Senators *'in petto'* as the Pope keeps Cardinals."¹⁴ Barnwell could have undoubtedly remained in the Senate, but he declined to run for the position, and again retired to private life in Beaufort.

He opposed immediate and separate secession in 1851-1852, and became one of the most influential co-operationists. Separate secession, he declared to a convention in Charleston in 1851, was "fraught with danger."¹⁵ Although he expressed enthusiasm for a separate Southern nation, he was reluctant to accept fully the consequences of secession, and became converted to it only on the eve of the convention in 1860.¹⁶ He attended the secession convention, however, and shortly thereafter was elected to serve as one of three South Carolina commissioners to Washington to negotiate with the Federal government.¹⁷ He also served as a South Carolina delegate to the Montgomery convention to organize

¹¹ *Ibid.*, November 28, 1838.

¹² Frank Friedel, *Francis Lieber, Nineteenth Century Liberal* (Baton Rouge, 1947), p. 147n.

¹³ Trustees' minutes, November 24, 1841.

¹⁴ *The Garnet and Black*, 1899, p. 62.

¹⁵ *Remarks of the Hon. R. W. Barnwell Before the Convention of Southern Rights Associations, in Charleston, May, 1851* (n. p., n.d. [Charleston, 1851]), p. 2.

¹⁶ Charles E. Cauthen, *South Carolina Goes to War* (Chapel Hill, 1950), pp. 66-67, 76.

¹⁷ *Ibid.*, p. 97.

the Confederate government. Barnwell was Jefferson Davis' first choice for the position of secretary of state in the Confederate cabinet, but his overly modest concept of his abilities, coupled with the desire of the South Carolina delegation to obtain the treasury-secretaryship for Christopher Memminger, caused him to reject the offer.¹⁸ During the war Barnwell, along with James L. Orr, represented South Carolina in the Confederate Senate, where he was a consistent supporter of Jefferson Davis, although this aroused the criticism of the *Charleston Mercury* and the other anti-Davis forces in the state.¹⁹

Planters in Beaufort district sustained unusually heavy losses during the war, and after the conclusion of hostilities in 1865, Barnwell resided in Greenville. Economic hardship prevented him from again retiring to private life, and, at the urging of Governor Benjamin F. Perry, Barnwell agreed to become a candidate for the position of chairman of the faculty at the newly reorganized University of South Carolina.²⁰ Barnwell's charm and grace made him a universally popular figure, and there was no opposition to his election. But he was reluctant, at his age, to accept the arduous task that confronted him. The problems facing the institution were much more complex than they had been in 1835. The long-suffering physical plant, used as a hospital during the war, was a wreck, and very little fiscal support could be expected from the legislature of a bankrupt state. To further complicate matters, the trustees had reorganized the college into a university, a rather ambitious program, considering the lack of funds. As reorganized, the institution had eight separate schools, and law and medicine were added in 1866. The new schools of law, medicine, and engineering soon had students, but no equipment.

Barnwell's second administration was not characterized by the energy and resourcefulness of his first, but, nevertheless, his performance was highly creditable, and indeed, his first two years were crowned with considerable success. The situation in 1866 was very delicate, with a federal garrison occupying the present Davis field, the legislature meeting in Rutledge chapel, and ex-Confederate soldiers in the student body. Yet, no unfortunate incidences occurred to interrupt matters. The post-war University had a notable faculty, including the famed LeConte brothers, Maximillian LaBorde, W. J. Rivers, and A. C. Haskell. Enrollment increased, and the law and medical schools, despite the continuing lack of equipment, began to graduate lawyers and doctors.

¹⁸ *Ibid.*, p. 87.

¹⁹ *Ibid.*, pp. 206, 209.

²⁰ Perry, *op. cit.*, p. 126.

Progress was halted, however, in 1868, at which time outside forces intervened in the administration of University affairs. Under the Congressional program of Reconstruction a new state constitution was written in 1868, and a new governor and legislature elected. This legislature, in turn, elected a new board of trustees for the University, the membership of which was composed of high officials in the State government. There was great fear among the patrons and the faculty of the University that the Republican trustees, several of whom were Negroes, would dismiss the professors and also admit Negroes as students. As a result, enrollment dropped sharply in 1868 and several professors, including the LeContes, resigned. "I bore the iniquities of the government as long as I could," wrote Joseph LeConte, "but when the negro legislature began to talk about what they were going to do with the University, I thought it time to quit."²¹ The trustees, however, took no immediate steps to institute a radical program on the campus. They did replace the departed professors with Republicans, but made no attempt to dismiss the remaining Democrats on the faculty, and gave no indication of immediate plans to admit Negroes.

Although many friends urged Barnwell to resign in 1869, he retained his position as chairman of the faculty in the hope that he could prevail upon the trustees to refrain from making radical changes at the University. During the ensuing four years the University presented a curious spectacle. It was, as one newspaper described it, "fish, flesh, and foul,"²² and it satisfied neither the Radicals nor the Conservatives. The more partisan Republicans were displeased because Barnwell and three members of the ante-bellum faculty retained their posts while many needy Republicans were without remunerative positions. There was also considerable dissatisfaction because Negro students had not been admitted. On the other hand, conservatives disapproved of the presence of Negroes on the board of trustees and complained of the greatly increased appropriations. Although the majority of the old guard praised Barnwell for holding his position in order to save the University from sweeping innovations, there were some critics who accused him and the other professors of holding soft jobs under Republican auspices while the majority of respectable citizens suffered under Radical rule.²³

Whatever might have been the motives of the Republican administration in delaying for four years the introduction of far reaching changes at the University, the election of a new board of trustees in 1873 signalled the beginning of the program so long dreaded by the

²¹ *The Autobiography of Joseph LeConte* (New York, 1903), p. 239.

²² *Columbia Daily Phoenix*, January 17, 1872.

²³ *Columbia Southern Presbyterian*, September 14, 1871.

conservatives. In October 1873, Henry E. Hayne, the Negro secretary of state of South Carolina, enrolled in the medical school. Barnwell was summarily dismissed, and the remaining professors of the old regime, including Maximillian LaBorde, subsequently resigned. The trustees accepted their resignations and adopted a ringing resolution introduced by Daniel H. Chamberlain:

Resolved—That this Board accepts the resignations now tendered, of M. LaBorde, M.D., and R. W. Gibbes, M.D., as Professors in the University of South Carolina, and, in accepting the same, this Board deems it due the public, to place upon record their conviction that the resignations of these gentlemen were caused by the admission, as a student of the Medical department of the University, of Hon. Henry E. Hayne, Secretary of State, a gentleman of irreproachable character, against whom the said Professors can suggest no objection, except,—in their opinion,—his race; and recognizing this as the cause of these resignations, this Board cannot regret that a spirit so hostile to the welfare of our State, as well as to the dictates of justice and claims of our common humanity, will no longer be represented in a University which is the common property of all our citizens without distinction of race.²⁴

From 1873 until 1877 segregation was abolished at the University, and the student body was predominantly Negro.

Following the ultimate victory of the Democrats in April, 1877, Governor Wade Hampton closed the University, planning to reopen it at some suitable date in the near future. In July of that year he appointed Barnwell, who had operated a school for girls in Columbia since his dismissal in 1873, librarian and temporary caretaker of the premises.²⁵ The board of trustees confirmed this appointment by a unanimous vote, and, when the institution was reopened in 1880, again would have made him president had not his advanced age made this unadvisable. He continued to serve in the capacity of librarian and was residing on the campus at the time of his death in 1882.

Robert W. Barnwell was an anomaly in South Carolina. He spent his life voluntarily relinquishing high offices there were eagerly sought by others. Lack of ambition and an overly modest concept of his ability prevented him from playing a more prominent role in state affairs. Certainly the South Carolina College would have profited had he remained at its helm instead of resigning in 1841, and there is no doubt that he would have been fully as effective as those who succeeded him in the United States Senate. Although the graceful library he was responsible

²⁴ Trustees' minutes, October 10, 1873.

²⁵ *Ibid.*, July 30, 1877.

for erecting does not bear his name, the University, in 1952, belatedly recognized his splendid services by naming Barnwell College in his honor.

THE CRIMINAL LAWYER IN ANTE-BELLUM SOUTH CAROLINA

By JACK KENNY WILLIAMS
Clemson College

The history of the practicing attorney in ante-bellum South Carolina is essentially that of the criminal lawyer in the sessions court. The Pre-Civil War years were not conducive to narrow legal specialization; and few barristers failed to spend much of their time prosecuting or defending indicted citizens. Certainly this was true of the fledglings. It was in the sessions courts that the young attorneys usually began their process of evolution from pleaders to politicians; and it was here that the plain folk of the state formed their collective opinion of their future legislators.

That opinion was not generally favorable. It was less condemning in 1860 than in 1800, but at either date it was sharply defined against the attorney. It was rooted in a belief that the average lawyer was dishonest. Its outstanding bill of particulars held that lawyers, through fast talk and legal trickery, gained freedom for guilty criminals. As one critic expressed it, "The life is not to be coveted which ministers to the evil passions of a neighborhood; which serves as a tool for its contentions; as a server for the passions of the Community to gather in and be carried off."¹

The notion that the lawyer protected the knave was supported by courtroom evidence, oft-repeated fiction, and now and then by the bitter statements of lawyers and ex-lawyers themselves. Courtroom evidence was rare, but any one case was certain to assume exaggerated importance in the minds of those who wanted to believe the worst. Such a contest as that in which John C. Calhoun, as a young barrister, admitted his client to be a murderer—only to have a senior member of the bar step in, and, on a plea of extenuation, gain acquittal for the guilty man—is an example of case evidence from a high source.²

Other incidents were admitted by Benjamin F. Perry. At least twice he used his superior legal talents to free acknowledged renegades. One of these, a forger of Negro passes, was so grateful that he later named a son after the successful lawyer. The other expressed his appreciation

¹ S. G. Stoney (ed.), "The Autobiography of William J. Grayson," this *Magazine*, XLIX (October, 1948), 223-24.

² Charles M. Wiltse, *John C. Calhoun, Nationalist* (New York, 1944), p. 43.

by paying his fee with a fake note. He was remembered by the infuriated Perry in these words: "a greater scamp never escaped the gallows. He had been . . . [a counterfeiter] for several years and I think it very likely he is still at it."³

This proclivity of lawyers to defend the guilty was given by some men as their reason for quitting the profession. Such well-known names as John C. Calhoun, William Lowndes, and William J. Grayson are among them. Calhoun left the practice of law, states his most able biographer, because "He could not argue a case in which he did not believe, nor convince himself of the necessary righteousness of the side prepared to pay the larger fee."⁴ Lowndes, when asked his reason for dropping a lucrative practice, declared with obvious exaggeration that during his several years as a lawyer he "had but one case in which my conscience and my duty concurred."⁵ William Grayson, who admittedly had been a failure at law, delivered the most damning blow. Arguing that "Right, justice, truth, are secondary consideration or rather no considerations at all" with his erstwhile colleagues, he fired the following salvo at them:

The lawyer is mixed up with the bad passions of the Community and becomes their agent and supporter. He keeps the unjust; he sustains the vindictive; he protects the knave. He is of some use, it is true. . . . There are lawyers who are not carried away by the evil influences of the profession. But they are rare as snow at midsummer.⁶

Newspaper editors and correspondents added to this series of serious condemnations a steady outpouring of stories, ludicrous for the most part, rarely based on truth, but none the less a factor in bestowing on the attorney something of an unsavory reputation.

One account told of the lawyer who defended a counterfeiter, and with a great speech which wrung tears from the jurors' eyes, won his case. Then turning to his client, he was heard to say, "And now, you old rascal, go about your business, and never let me catch you passing counterfeit money again." The jury, it was said, "stared in wonder."⁷

Similar tales dealt with "Shocko Jones," who could all but hypnotize juries into doing his bidding; or "John Taylor: The Timon of the Backwoods Bar and Pulpit," who made a specialty of obtaining freedom for

³ B. F. Perry Diary, June 10, 1836, University of North Carolina.

⁴ Wiltse, *Calhoun, Nationalist*, p. 43.

⁵ Mrs. St. Julien Ravenel, *Life and Times of William Lowndes of South Carolina, 1782-1822* (Boston, 1901), pp. 62-63.

⁶ "Autobiography of Grayson," *loc. cit.*, pp. 223-24.

⁷ Edgefield Advertiser, May 5, 1858.

pretty girls who had been forced to shoot their over-anxious lovers.⁸

But most newspapermen chose not to take potshots at any specific, albeit fictitious practitioner. Rather they preferred scatter shots, aimed in the general direction of the entire profession. "Show me a lawyer with hair in the palm of his hand, then I'll believe he is an honest man," was one of their pet impeachments. "Judge a man by his actions—a poet by his eyes—an idler by his fingers—a lawyer by his leer," was another.⁹

The reprinting of "remarks overheard" was also a favorite pastime of the editors having their fun at the lawyers' expense. Three Negro children, for instance, had held this conversation, according to a writer in the *Camden Gazette*:

"You know me (said Joseph)—I great man—I captain—I gentleman."

"I greater as him (said the other) I gentleman too—but I bold peter."

"I no gentleman [said the third]—I n-n-nothing but a lawyer!"¹⁰

Again, a countryman had engaged a barrister in the following discussion:

"Squire, I called to see if you would like to take this boy, and make a lawyer out of him."

"He is too young. . . . Have you no older boys?"

"Oh, yes, sir I have several; but we have concluded to make farmers of the others."

"But why do you think this boy so much better calculated for a lawyer than your other sons? What are his peculiar qualifications?"

"Why, do you see, sir, he is just seven years old to day. When he was only five, he would lie like the devil; when he got to be six, he was sassy and impudent . . . and now he will steal anything he can get his hands on."¹¹

Added to these were gleeful accounts which told of lawyers who had met with defeat or misfortune. The fictional tale of three attorneys who were outwitted in their efforts to cheat an honest landlord was given space in the *Edgefield Advertiser*.¹² And a letter in the *Laurensville Herald* told how the law business there had fallen off. "Would that you could cast your optics upon the lean, lank, hungry cadaverous phizzes of these miserable bipeds, ycleped attorneys," wrote the happy corre-

⁸ Sumter Banner, April 11, 1849; Laurensville Herald, March 15, 1850.

⁹ Yorkville Compiler, March 12, 1841; John B. O'Neill and John A. Chapman, *Annals of Newberry* (2 vols., Newberry, 1892), I, 46.

¹⁰ January 7, 1819.

¹¹ Lancaster Ledger, July 18, 1855.

¹² October 22, 1856.

spondent. "Oh! It would make you weep. . . . However, what's one's poison, is another's meat. If the lawyers suffer, the people prosper."¹³

The bulk of such newspaper lineage was admittedly facetious and was presented to provoke laughter rather than ill will. But whatever the intent, it could have serious effect. For instance, it was no amused reader who, following the appearance of an anti-lawyer item in the Laurensville *Herald*, wrote the editor that if it was true that "the quibbles and technicalities" of the barristers were "defeating the ends of justice," then something ought to be done about it at once.¹⁴ Other subscribers, doubtlessly, were similarly impressed.

The editor of the Sumter *Banner* took note of this unfortunate situation when he wrote in 1848 that he feared the attack on lawyers was causing far too many people to consider all attorneys as being "heartless and mercenary." It was his observation, he said, that no other profession in the state was held in such general low esteem as that of law. This should be corrected, he urged, for most lawyers were honest, law-abiding, helpful citizens.¹⁵

A similar attitude had earlier been expressed in the Edgefield *Advertiser*¹⁶ and by the 1850's other papers were printing items which portrayed lawyers in a favorable light. These never equalled in number those to the contrary but they offered something at least, in rebuttal. The presence of a pair of favorable stories in a single issue of the Laurensville *Herald* is a case in point. These two, "A Piece of Legal Advice," and "The Accommodation Bill, or Experiences of a Barrister,"¹⁷ must have been warmly welcomed by the legal fraternity.

The lawyer group on occasion came to its own defense. Such a pamphlet as Edward O'Brien's *The Lawyer, His Character and Rule of Holy Life*¹⁸ depicted the legal sage as deeply religious, eager for justice, and a true servant of the people; and Judge John B. O'Neill's *Biographical Sketches of the South Carolina Bench and Bar*, printed in 1859, was similarly designed in part to disprove scurrilous attacks on the lawyers.

These had effect, of course, and they are not isolated examples. But the newspapers carrying the bulk of the less favorable material reached a broader public, and reflected what remained, at least to 1860, a more popular attitude.

¹³ March 1, 1850.

¹⁴ June 7, 1850.

¹⁵ May 17.

¹⁶ March 11, 1841.

¹⁷ March 29, 1850.

¹⁸ Philadelphia, 1843.

Whatever the general opinion of South Carolina people concerning the lawyers, the legal profession did not suffer for membership as a result. In 1771 South Carolina had but 24 practicing attorneys,¹⁹ but by 1800 a French traveler wrote that the state had too many lawyers. This was the result, he believed, of an "absurd vanity" attached to the profession by the people of highest social stations.²⁰ Two hundred lawyers were "registered" in the state by 1820, 230 in 1840, 260 in 1850, and 315 in 1860. The *United States Lawyers' Directory* for 1850 listed by name the South Carolina attorneys in practice at the beginning of that year, and pointed out that these 260 had their offices in thirty-six villages, towns, and cities. Sixty-two of the total resided in Charleston; but the remainder were spread throughout the state.²¹

As a group, South Carolina lawyers were trained men, qualified by study and experience to practice their profession. On this point the most avid critics of the barristers were silent. Lawyers were licensed from 1785 by the judges of the state, and certificates were granted only to those men who had completed at least three years of formal apprenticeship, either in a law school or in a competent barrister's office. In addition, each applicant had to stand an oral examination on "his knowledge and character." The three-year clause was modified in 1801 and removed from the statute books in 1812; none the less, only a few men chose to begin their practice without considerable prior preparation. By the year 1854, for example, 1,447 graduates of the state college at Columbia had become attorneys. Other lawyers, such as John Siegling and Augustin Taveau, had studied at Harvard. A few men had been students at the famed Tapping Reeves Law School in Litchfield, Connecticut, and others had taken law courses at the London Inns of Court. In addition, apprentices were reading law in the offices of most of the state's practicing attorneys.²²

The examination before the judge was, as pointed out, the immediate step which led to the granting of a license to practice. Statistics

¹⁹ D. D. Wallace, *History of South Carolina* (3 vols., New York, 1934), I, 407.

²⁰ Ferdinand-Marie Bayard, cited in Lee W. Ryan (ed.), *French Travelers in the Southeastern United States, 1775-1800* (Bloomington, Ind., 1939), p. 57.

²¹ John B. O'Neill, *Biographical Sketches of the Bench and Bar of South Carolina* (2 vols., Charleston, 1859), II, 599-614; John Livingston (comp.), *The United States Lawyers' Directory, and Official Bulletin for 1850* (New York, 1850), pp. 65-66.

²² For examples see James D. Blanding, *Catalogue of the South Carolina College, 1854* (Columbia, 1854), *passim*; John Siegling Papers, A. L. Taveau Papers, Job Johnson Letters, and George McDuffie Papers (Mss, Duke University); B. F. Perry Diary; anonymous, *History of the Bar in Richland County 1790-1948* (n. p., n. d.), pp. 184-185.

are not available on the number of applicants who failed their oral questioning but contemporary observers were generally agreed that the examination was, as a rule, an informal event, leisurely administered by jurists who had already made their decisions on the fitness of the man facing them. One critic believed that "a single perusal of Blackstone, the work of a few weeks," was sufficient to pass the benign ordeal. Another wrote, "The examination was not so formidable. . . . A letter from . . . [the examiner's] brother had macadamized my way."²³

The prisoner at the bar did not, naturally enough, concern himself so much with the lawyer's educational background as with his demonstrated ability to sway a jury. Such ability, in ante-bellum South Carolina, depended more on a thorough understanding of local pride and local customs than on Blackstone and Coke, and it was expressed more effectively through moving oratory than cold legal precedent. Criminal lawyers made use of past decisions in their arguments; but they did so sparingly. It was considered something of a compliment to be thought "not a case lawyer."

Any study of the ante-bellum criminal lawyer in action is essentially research in the use and influence of oratory. The judicious selection of jurymen and witnesses, the ability to seek out flaws in indictments, and the knowledge of accepted methods by which cases might be postponed, were all weapons in the lawyer's arsenal; but once the case was off the court calendars and the trial underway, forensic excellence became more often than not the skill needed beyond all others.

Attorneys and the general public alike attested to the importance of a talent for oral persuasion. Traveler William Faux might refer to the pleading of South Carolina lawyers as "jargon . . . little short of nonsense,"²⁴ but in Benjamin F. Perry's more expert opinion, oratorical ability was the positive secret of any barrister's success. "I have a very loud voice and a fluency of speech when animated," he wrote. "This pleases the crowd . . . [and they] think me a 'good lawyer.'"²⁵ In similar fashion, William J. Grayson blamed his inability to speak well for his failure at law. "I had not the faculty of ready talk," he complained. "I was destitute of . . . the face of bronze and tongue of iron so indispensable at the bar."²⁶

²³ James D. B. DeBow, "Law and Lawyers," *DeBow's Review*, XIX (October, 1855), 398; *Diary of Edward Hooker*, in *Report of the American Historical Association for 1896* (Washington, 1897), p. 908.

²⁴ *Memorable Days in America* (London, 1823), pp. 48-49.

²⁵ *Diary*, "Sketch of my Life."

²⁶ "Autobiography of Grayson," *loc. cit.*, p. 223.

The effect of fine oratory on ante-bellum juries is well illustrated by the reports of contemporary observers. A jurymen who sat in judgment on Daniel Nou, charged with maintaining a nuisance, reported the legal arguments in that case as follows:

Loyer Noble talked powerful strong; told us the law an' read it out of the books, the same as the gospel. Ever'thing looked shore all right for Dan'el. Jears L. was seated down an' lissened an' sometimes hit the floor with his stick. He then looked out the door, an' 'is face was so pitiful we felt sorry for him an' thought we was shore beat. Bine-by Lowyer Noble gets through talkin'. Jears L. gets up. He bowed to the judge, an' he bowed to the jury an' ever'body very perlite. He didn't bring no books. He started easy like, an' said that his friend Lowyer Noble talked very nice, but all that he had read out of the books had nothin' to do with this case; an' before he had talked five minits he had Lowyer Noble's argyment busted wide open. He then begin to talk better'n any preacher I ever hear.²⁷

A similar impression was made by an Edgefield attorney on the mind of a young citizen of that town. In his words,

I remember when quite a boy that I was much moved by a speech from . . . [a lawyer] in behalf of a man who was on trial for his life. His whole soul seemed melted by compassion—the tears were flowing freely down his face, and he urged the acquittal of the unfortunate man, with a natural earnestness . . . which touched every heart. . . . After sketching most touchingly, the picture of human passion and infirmity, the sad heritage of the man—he called upon every member of the jury to adopt for himself the sentiment of the Universal Prayer,

“Teach me to feel another's woe,
To hide the fault I see;
That mercy I to others show,
That mercy show to me.”

The effect was electric, and all could see that the prisoner was soon to be restored to his family and friends.²⁸

Fiction as well as fact was used to point out the power of the expert lawyer's plea to the jury. Indeed, the general notion that eloquence won cases must have gained no small measure of acceptance by the telling of such popular tales as that concerning a lawyer defending a pretty girl. As the story went:

First of all three advocates spoke in succession for the prosecution . . . they about equally partitioned their howling . . . betwixt the

²⁷ Cited in James P. Carson (ed.), *The Life, Letters and Speeches of James Louis Petigru, the Union Man of South Carolina* (Washington, 1920), pp. 55-57.

²⁸ John A. Chapman, *History of Edgefield County* (Newberry, 1897), p. 181.

prisoner and her . . . counsel, as if in doubt which of the twain was then on trial. . . . [Finally the defense lawyer] sprang to his feet, crossed the bar, and took his position almost touching the jury. He . . . commenced in a whisper, but it was a whisper so wild, so clear, so unutterably ringing . . . as to fill the hall. . . . At the outset, he dealt in pure logic . . . till the whole mass of confused evidence looked transparent. . . . He then changed his posture, so as to sweep the bar with his glance; and began to tear and rend his legal adversaries. His sallow face glowed as a heated furnace; his eyes resembled living coals; and his voice became the clangor of a trumpet. I have never, before or since, listened to such murderous denunciations. It was like Jove's eagle charging a flock of crows. . . . His features were livid as those of a corpse; his very hair appeared to stand on end; his nerves shook as with a palsy; he tossed his hands wildly toward heaven, each finger stretched apart and quivering. . . . His voice grew mournful as a funeral song, and his eyes filled with tears, as he traced a vivid picture of man's cruelties . . . [to] a poor and friendless woman . . . till a shout of stifled rage arose . . . and even some of the jury cried, "shame" . . . one half the audience wept like children. . . . The jury rendered a verdict of "Not Guilty," without leaving the box; and three cheers shook the old court-house.²⁹

But there was more to legal oratory than the clever use of gestures and the studied change of tone. An expert criminal lawyer knew his judge and made it a point to know his jurors. Different judges had differing reputations for leniency or harshness. By obtaining a delay of a case a lawyer might be able to swap jurists. Benjamin Perry, for instance, wrote in his diary, "Judge O'Neal is very severe in his sentences . . . and is no favorite with the Sessions folks. . . . Judge Gantt is the . . . [opposite] of O'Neal. We always make it a point to try criminal cases before Gantt if possible."³⁰

Respecting petit jurors, a lawyer played on their prejudices, made capital of their religious convictions, and appealed to their local pride and patriotism. To cite examples, in a case involving a poor man and a rich man, the poor man's lawyer might say, "It is difficult for a humble citizen like . . . [my client] to contend with a man of wealth and influence such as . . . [our opponent]." And a contest in which one party was from another state or section might turn on such a statement as, "Gentlemen, that may be law in Philadelphia, but it [is] not law in Coosawhatchie."³¹

²⁹ Laurensville *Herald*, November 15, 1850.

³⁰ Entry of April 9, 1836.

³¹ B. F. Perry Law Cases, 1841-1845, p. 146 (Mss. Alabama State Department of Archives); Carson (ed.), *Letters of Pettigru*, p. 56.

Cases might also be won by diverting the attention of the jury from the accused to the accuser. James L. Petigru ruined one prosecutor's case by forcing from that hapless gentleman a confession that he did not regularly attend church. An upcountry barrister gained a similar victory when, instead of attempting to prove the innocence of his client, he pointed out that the prosecutor was a betrayer, a false friend, and hence a man without honor. Less successful but not less resourceful was a Columbia lawyer who, hard-pressed in his efforts to defend a woman client, bravely attempted to persuade the jury that the lady's "bald . . . pot-bellied and bandy-legged" adversary was in reality a "gallant, gay Lothario" who had doubtlessly ruined the lives of countless innocent females.³²

On numerous occasions lawyers resorted to religious appeals. One critic of the South Carolina barristers denounced the "frequent and unnecessary" references to the "Supreme Being" as a major evil of legal pleading. Appeals made in the form of prayers, he wrote, "make clever Rhetorical flourishes, and furnish a resting place for the mind of the juror"; none the less, the name of God "should never be pronounced but when necessary, and then only with . . . reverence. Whatever amounts to more than this, is downright profanity."³³

The lawyer paid little heed to such complaints. The Father, the Son, the Holy Ghost, and the Old and New Testaments were called in as witnesses in case after case. On one occasion a defense attorney went so far as to manufacture a Biblical quotation which might serve to justify his client's activity. According to the lawyer who told the story, the accused was forthwith set free—but one of the jurymen reported some weeks later that he had been and was still searching his Bible for the citation which had been used.³⁴

The matter of appealing to the jury, of pleading the case, took precedence in ante-bellum South Carolina over the process of cross-examining witnesses. But the latter aspect of legal procedure was not wholly overlooked. Then as now, good witnesses won cases and poor witnesses lost them. It seemed to be the consensus of contemporaries that South Carolina lawyers considered any witness as fair game, to be threatened, ridiculed, bullied, or falsely accused of a wide variety of misdeeds and moral failings. A favorite trick was to accuse the opposing

³² William J. Grayson, *James Louis Petigru. A Biographical Sketch* (New York, 1866), pp. 157-158; B. F. Perry Diary, November 4, 1833; Edwin J. Scott, *Random Recollections of a Long Life, 1806 to 1876* (Columbia, 1884), p. 134.

³³ *Lancaster Ledger*, April 4, 1855.

³⁴ B. F. Perry, *Reminiscences of Public Men* (second series, Greenville, S. C., 1889), pp. 124-125.

witness of being a mulatto. Such persons were not allowed to testify against white people, and any witness charged with having Negro blood had to stand immediate examination by the court. This could be obviously an embarrassing procedure.³⁵

In one district at least, the grand jury reported the impolite treatment of witnesses by attorneys as a grievance warranting legislative action. They deplored the "excesses of language by Members of the Bar towards . . . witnesses," they wrote, and believed the practice served only to embarrass them and to "provoke apparent Contradiction in their testimony as well as to wound . . . [their] feelings and character."³⁶ Some years later a Lancaster correspondent added to this the charge that the rude treatment of witnesses was a sure sign that lawyers were, as a class, a crude lot. "The Bar profess to be gentlemen," he insisted; "Now one of the elements of a gentlemen is, to say or do nothing . . . that would mar the enjoyment of the innocent."³⁷

Whatever the nature of the attacks on this aspect of their methodology, successful lawyers continued to examine witnesses with an eye toward winning the case, and without considering the possibility of bruising tender sensibilities. For that matter, the lawyer who could consistently turn opposing testimony to his own use was respected and envied by the bulk of his colleagues. This made it easier to shrug off the attacks of the ill-wishers outside the legal circle.

Viewed in retrospect, the life of the South Carolina ante-bellum criminal lawyer was not especially pleasant nor was it highly rewarding in terms of dollars and cents. "Irksome, perplexing and unprofitable" were the adjectives one member of the bar used to describe it, and in a very real sense he was correct.

The average South Carolina lawyer rode a long circuit, traveling from court town to court town by horseback, stagecoach, or possibly by train. He argued from ten to thirty cases at each sessions term, most of them being the "mean causes"—the petit larceny and the assault and battery cases—which were of little importance either to his reputation or to his pocketbook. He had scant time to prepare his arguments, even his important ones; yet his several clients expected miracles from him. His work, in short, became routine and dull, and there was a considerable turn-over in his profession as many of his coterie went as soon as they could from criminal law to politics or planting.

³⁵ *State v. Cantey*, 2 Hill 614 (1835); *State v. John Zeigler*, Barnwell Sessions Journal, spring, 1835; *State v. Susan Chavous*, Barnwell Sessions Journal, fall, 1848.

³⁶ Laurens Grand Jury Presentment, fall, 1824 (Legal System Papers, South Carolina Historical Commission).

³⁷ Lancaster Ledger, April 4, 1855.

Circuit riding was a tiring necessity. Sessions courts were held but twice each year in each district, and for financial reasons alone a criminal lawyer had to attend as many as possible. A typical circuit was that traveled by Benjamin F. Perry in 1836. During the spring season of that year, he attended court in Greenville, then rode directly to Pickens. From that village he traveled to Anderson, and from there to Spartanburg. From Spartanburg he moved on to Laurens. At the conclusion of court there, he returned home. It was his belief, he wrote, that a "young practitioner will acquire more legal knowledge on the circuit in one week than he can from books in a month"; none the less a year later he wrote the following: "I am sick and tired of a tavern. . . . The crowd and company annoy me very much—It is . . . painful in a very high degree to be always in company."³⁸

Circuit riding was a group affair, with the lawyers and judges traveling in a party from town to town. They drank, joked, brawled, and swapped tales, humorous or otherwise, as they rode. They shared the problems of travel—the poor food, vermin-infested beds, swollen streams, and bad roads—and they became, many of them, fast friends as a result. This latter aspect of circuit riding was perhaps the greatest compensation it offered.³⁹

But friendship was not allowed to interfere with law business. Once a lawyer group had arrived at a seat of justice it was every man for himself. At a sessions court each lawyer had first to obtain his share of clients, then defend them, and competition was keen both outside and inside the court room. This competitive spirit sometimes so aroused the gentlemen involved that they exchanged blows; and now and then the local citizens were treated to the spectacle of lawyers themselves being tried for disturbing the peace.⁴⁰

A young lawyer was handicapped in his search for clients. Benjamin F. Perry remembered that he obtained but nine of more than one hundred possible cases when he began practice in the 1820's. By 1839, however, he had won an enviable reputation as a criminal lawyer, and in the spring of that year he defended 130 clients.⁴¹ Most lawyers, after a

³⁸ Diary entries, March 9–April 9, 1836, September 3, 1837.

³⁹ See especially B. F. Perry to his wife, May 8, 1838, in Hext M. Perry (ed.), *Letters of my Father to my Mother* (Philadelphia, 1889), p. 73; and *Diary of Edward Hooker*, pp. 859–60.

⁴⁰ For examples, see Laurensville *Herald*, November 30, 1849; Perry, *Reminiscences of Public Men*, pp. 164–165.

⁴¹ B. F. Perry to his wife, October 16, 1837, in Perry (ed.), *Letters of my Father to my Mother*, p. 54; B. F. Perry Diary, "Sketch of my Life," and April 23, 1839.

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few years' experience, got a fair share of available business. Court dockets were usually crowded, spring and fall, and the best lawyers could not take all the cases offered them.

Actually the problem was not that of getting clients, but of obtaining those able and willing to pay legal fees. Perry was speaking for all his colleagues when he wrote, "The profession would be pleasant enough if the lawyer was always employed in important cases and *well paid*. But nothing can be more disheartening than to have a *mean case* a *poor client*, and a *troublesome* one in the bargain." "The *law* is dull," he added a few years later. "I want money very much—My clients do not pay promptly."⁴²

Perry kept careful records of his law fees, and his account books make it clear that his complaints concerning money profit from the profession were justified. He charged fees of five to twenty-five dollars for pleading cases of "little importance," and twenty-five to 150 dollars for defending felons. These charges were not excessive, by standards of the time, but they would have provided Perry with an adequate income had he been able to collect them. This he was never able to do. Between the years 1827 and 1834, for example, he collected only about half the accounts due him; and not all of these were paid in legal tender. In 1836, to cite a noteworthy instance, he defended and acquitted a client on trial for horse theft. In lieu of the money fee, this gentleman gave Perry a horse.⁴³

Perry's cash income from law practice in his first fifteen years as a barrister averaged five hundred dollars a year. Some South Carolina lawyers would have considered that sum rather an imposing figure. Attorney Joshua H. Hudson, for instance, reported an income in 1857 of but one hundred dollars—a portion of which was paid in shelled corn. He was, he said, and we can believe him, "then heavily in debt."⁴⁴

But if criminal law did not pay well and if the work of the criminal lawyer was often monotonous and generally tiring, the attorneys continued none the less in adequate numbers to argue their cases. As pointed out, law was a stepping stone to politics. In addition, despite the low estimate held by many citizens of their profession, lawyers knew that they ranked well with the highest social classes. Such factors overshadowed less rewarding aspects of their labors. If disliked by the plain folk, they were accepted by the aristocrats. If poorly paid on the circuit,

⁴² B. F. Perry Diary, July 29, 1835, October 3, 1841.

⁴³ *Ibid.*, June 10, 1836; Perry Common Law Cases, 1827-1834, *loc. cit.*

⁴⁴ Cited in Ulysses R. Brooks, *South Carolina Bench and Bar* (Columbia, 1908), p. 251.

they could look forward to fatter incomes from politics or planting. Their profession, in fine, was a springboard to positions of influence and respectability.

The importance of the criminal lawyers to a study of the South Carolina sessions courts and criminal system is apparent. They defended criminals, and as solicitors, they also prosecuted them. Their complaints and suggestions had much to do with periodic changes in the machinery of the courts; and, since so many lawyers eventually became members of the legislature, they were to no small degree responsible for the periodic failures of the South Carolina lawmakers, throughout the antebellum decades, to modernize either the state penal code or the state penal system.

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REGISTERS OF SHELDON CHURCH,
PRINCE WILLIAM'S PARISH, 1826-1947

Compiled by MARIE DETREVILLE and WILLIAM L. GLOVER

Prince William's Parish was cut from St. Helena's Parish by an Act of May 25, 1745, which named William Bull, Stephen Bull, Robert Thorpe, James Deveaux, and John Greene, as commissioners to build the parish church and parsonage.¹ In the spring of 1748, the work was sufficiently advanced for the church to be used, and the Rev. Charles Boshi and the Rev. Richard St. John were appointed to officiate by turns once a month until a missionary should be supplied from London. By 1751 the wealthy planters of Prince William's Parish had completed the largest and most impressive rural church in the province of South Carolina. It soon became known as Sheldon Church from the adjacent Bull estate, which was named for Sheldon Hall, the ancestral home of the Bulls in Warwickshire, England.

Prince William's Church was served by a succession of visiting clergymen at monthly services until the Rev. Robert Cooper arrived from London in 1758 and was duly elected the first rector.² But Mr. Cooper resigned the next year to become assistant at St. Philip's, Charleston. Little is known of Sheldon Church during its early years, for all the old records have disappeared. A Rev. Mr. Alexander is mentioned in 1766 as being at Prince William's, "but the Dissenters made the Place too warm for him to stay, and he was obliged to go to the Northward."³

During the American Revolution, Sheldon Church was burned in 1779 by Prevost's invading army from Florida. For the next forty years, divine services at Sheldon were only occasionally performed by visiting clergymen. At a meeting of the parishioners on April 19, 1824, the Rev. Edward Neufville, Judge Charles Jones Colcock, Frederick Fraser, and A. Chaplin, were appointed a committee to receive subscriptions and either to rebuild the ruins or build a new church. The former plan was adopted and the church was restored on its original lines.

Federal troops in 1864 used the church as a stable, and burned it. Services, however, have been continued in Sheldon Chapel at the plant-

¹ S. C. *Statutes* . . . , III, 659.

² F. Dalcho, . . . *Protestant Episcopal Church* . . . , p. 383.

³ R. J. Hooker (ed.), *The Carolina Backcountry* . . . (Chapel Hill, 1953), pp. 85, 192.

ers' summer village of McPhersonville. Every spring annual services are held at the ruins, and a fund is being raised for rebuilding the church.

Happily, the silver of the church has survived all disasters. It consists of two chalices given to the church in 1753 by Evans Palmer; a chalice, a paten, a flagon, and an alms plate given in 1756 by Lieutenant-Governor William Bull; a baptismal bowl given in 1845 by Mrs. James Gregorie, Mrs. John McPherson and Mrs. James McPherson; and two plated chalices and a plated alms plate, dating from 1838, used at Prince William's mission for Negroes.

The extant records, comprising two vestry books, and one register which is in poor condition, are in custody of the warden, Mr. Alexander F. Gregorie, of McPhersonville.

BAPTISMS

1. Susan Anna Maria. Dau. of Wm and Eliza A. Brailsford. b..... Baptised Febr. 11th 1825. By Revd. Edd. Neufville. Private.
2. James McPherson. Sn of Saml P. and Mary Dunbar. b..... Baptised May 10th 1825. By Do.⁴ Private.
3. Charlotte Evelina. Dau. of Wm and Eliza A. Brailsford. b..... Baptised Jany 15th 1826. By Do. Private.
4. Eliza. Dau. of Williamson (coloured), b..... Baptised Feby. 12th 1826. By Do. Brailsfordville.
5. Eliza Mary. Dau. of Arch[ibal]d and Martha Chaplin, b. July 12th, 1825. Baptised April 2d 1826. By Do. Sheldon Church.
6. Isabella Screven. Dau. of Richd B. and Alice Screven, b. March 25. 1806. Baptised April 11th 1826. By Rt. Revd. N. Bowen. At Do, (wife of F. G. Fraser).
7. Charles Jones. Sn of Thos H. and Eliza Colcock. b..... Baptised Augt 30th 1826. By Revd Edd Neufville. Sheldon Chapel.
8. William Hutson. Sn of Do. b..... Baptised Augt 30th 1826. By Do. Sheldon Chapel.
9. Richard Hutson. Sn of Do. b..... Baptised Augt 30th 1826. By Do. Sheldon Chapel.
10. Mary Woodward. Dau. of Do. b..... Baptised Augt 30th 1826. By Do. Sheldon Chapel.
11. Charlotte Charity. Dau. of Thos. and Charity Heyward. b..... Baptised March 8th 1827. By Do. Private.
12. William Douglass. Sn of A. F. and Sarah Gregorie. b..... Baptised April 14, 1827. By Do. Private.
13. Caroline Sarah. Dau. of Do. b..... Baptised April 14, 1827. By Do. Private.

14. Mary Cates. Dau. of David and Charlotte Fripp. b. Baptised May 6, 1827. By Do. Sheldon Ch[urch].
15. Maria Isabelle. Dau. of Archd and Martha Chaplin, b. Feby. 5th 1827. Baptised May 20, 1827. By Do. Sheldon Ch[urch].
16. Eliza Hay. Dau. of Thos. H. and Eliza Colcock. b. Baptised Oct. 21st 1827. By Do. Sheldon Chapel.
17. John Alexander. Sn of James and Ann Cuthbert. b. Baptised April 19th 1829. By Rev. Thos. J. Young. Private.
18. Elizabeth Heyward. Dau. of Do., b. Baptised April 19th 1829. By Do. Private.
19. Nath[anie]l Henry Rhodes. Sn of Lawrence E. and Mary Dawson, b. Febr. 14th 1829. Baptised June 18th 1829. By Do. Private.
20. Benjamin Paul. Sn of Archd and Martha Chaplin, b. March 25th, 1829. Baptised July 16th 1829. By Do. Private.
21. Mellisscent Jones. Sn of John and Anne Colcock, b. Novr. 6, 1828. Baptised July 17, 1829. By Do.
22. Samuel Hay. Sn of Thos H. and Eliza Colcock, b. Janr. 23d 1828. Baptised Jany. 3, 1829. By Do. Sheldon Ch[urch]
23. Augusta Berkley. Dau. of Wm and Mary A. Heyward, b. May 25th 1830. Baptised May 22d 1831 By Revd C. P. Elliott. Sheldon Ch[urch]
24. Anne Chisolm. Dau. of Geo C. and A. Mackay, b. March 20th 1831. Baptised Augt. 14, 1831. By Do. Sheldon Chapel, McPhersonville
25. Eliza Mary. Dau. of John and Anne Colcock, b. June 11th 1830. Baptised Augt. 28th 1831. By Do. McPhersonville.
26. Hetty Hutson. Dau. of Thos H. and Eliza Colcock, b. Janr. 8th 1831. Baptised Augt. 28th 1831. By Do. McPhersonville
27. Serena Julia. Dau. of Robt D. and Ainslie Lawrence, b. Decr 8th 1830. Baptised Augt. 29th 1831. By Do. Sheldon Chapel.
28. Lawrence Edward. Sn of Lawrence E. and Mary Dawson, b. June 20th 1831. Baptised Oct. 27th 1831. By Do. Sheldon Ch[urch].
29. John Jenkins. Sn of Thos. W. and Elizabeth P. Rhodes, b. Decr 16th 1827. Baptised March 4th 1832. By Do. Sheldon Ch[urch].
30. Sarah Emeline. Dau. of Do., b. July 24th 1831. Baptised March 4th 1832. By Do. Sheldon Ch[urch].
31. Daniel Thomas. Sn of Daniel and Jane Heyward, b. March 25th 1830. Baptised March 11th 1832. By Do. Sheldon Ch[urch].
32. Alice Louise. Dau. of Fredk. G. and Isabella S. Fraser, b. March 2d 1832. Baptised May 20th 1832. By Do. Sheldon Ch[urch].
33. Sarah Jane. Dau. of Geo. C. and Abigail Mackay, b. Febr 25th 1832. Baptised June 10th 1832. By Revd. Chas P. Elliott. Sheldon Chapel.

34. Thomas Alston. Sn. of Thos A. and Harriet Coffin, b. Febr 7th 1832. Baptised Octr. 28th 1832. By Do. Sheldon Chapel.
35. Charlotte Heyward. Dau. of James and Ann Cuthbert, b. Novr 13th 1832. Baptised Septr. 17th 1833. By Do. Sheldon Chapel.
36. Elizabeth. Daughter of John and Constancia Heyward, b. July 31st 1832. Baptised Septr. 17th 1833. By Do. Sheldon Chapel.
37. Thomas. Sn of William and K. Cordray, b. March 27, 1827. Baptised Sept. 26th 1833. By Do. Brailsfordville.
38. Elizabeth Jenkins. Dau. of Geo. C. and Abigail Mackay, b. May 22d 1833. Baptised Oct. 27th 1833. By Do. Sheldon Chapel.
39. Richard Wright. Sn of Thos W. and Elizabeth Rhodes, b. Baptised March 2d 1834. By Revd Wm T. Potter. Cotton Hall.
40. Child of Do. [Thos W. and Elizabeth Rhodes], b. Baptised By Do.
41. Edward William. Sn of Wm and McCauley, b. Baptised July, 1835. By Revd Stephen Elliott Senr. Sheldon Chapel.
42. Elizabeth. Dau. of James and Ann Cuthbert, b. Janr. 15th 1835. Baptised July, 1835. by Do. Sheldon Chapel.
43. Thomas Wilson. Sn of John and Constancia Heyward, b. Febr. 20th 1834. Baptised July, 1835. By Do. Sheldon Chapel.
44. Mary Bull. Dau. of Daniel and Ann Heyward, b. March 2d 1835. Baptised July, 1835. By Do. Sheldon Chapel.
45. Anne. Dau. of Joseph E. and Ann Cole, b. Baptised Augt. 1835. By Do. Sheldon Chapel.
46. John. Sn of Do., b. Baptised Augt., 1835. By Do. Sheldon Chapel.
47. John. Sn of Thos H. and Eliza Colcock, b. Baptised July, 1836. By Do. Sheldon Chapel.
48. Thomas Hutson. Sn of Do., b. Baptised July, 1836. By Do. Sheldon Chapel.
49. Maria. Dau. of Stephen and A. H. Elliott, b. June 8th 1836. Baptised Augt., 1836. By Do. Sheldon Chapel.
50. Louis McPherson. Sn of Louis M. and Isabel DeSaussure, b. Augt. 20th 1836. Baptised Augt. 1836. By Do. Sheldon Chapel.
51. Daniel Heyward. Sn of James and Ann Cuthbert, b. March 15th 1837. Baptised July 20th 1837. By Do. Sheldon Chapel.
52. Daniel Cuthbert. Sn of Daniel and Ann Heyward, b. Sept. 16th 1836. Baptised July 20th 1837. By Do. Sheldon Chapel.
53. Ann Chisolm. Dau. of Geo. C. and Abigail Mackay, b. Baptised July 23d 1837. By Do. Sheldon Chapel.

54. William Hutson. Sn of Wm H. and Margaret Wigg, b. Augt. 20th 1837. Baptised Sept. 21st 1837. By Do. Sheldon Chapel.
55. Serena Brailsford. Dau. of Richard and Mary Crosby, b. March 2d 1832. Baptised Febr. 22d 1838. By Do. Brailsfordville Chapel.
56. Isabella Deas. Dau. of Do., b. Octr. 31st 1834. Baptised Febr. 22d 1838. By Do. Brailsfordville Chapel.
57. Stephen Elliott. Sn of Do., b. Novr 30 1836. Baptised Febr. 22d 1838. By Do. Brailsfordville Chapel.
58. William Archibald. Sn of Geo. C. and Abigail Mackay, b. Baptised July 26, 1838. By Do. Sheldon Chapel.
59. Joseph. Sn of Wm and Eliza Brailsford, b. Jany 25th 1833. Baptised Sept. 24th 1838. By Do. Brailsfordville Chapel.
60. William Thomas. Sn of Richard and Mary Crosby, b. July 2d 1838. Baptised Sept. 24th 1838. By Do. Brailsfordville Chapel.
61. Caroline Dorothea Lockwood. Dau. of Benjn. C. and Caroline Webb, b. July 8, 1838. Baptised Sept. 24, 1838. By Revd. Benjn C. Webb. Brailsfordville Chapel.
62. William. Sn of Stephen and Ann Elliott, b. Sept. 3d 1838. Baptised Feby. 1839. By Revd. Stephen Elliott, Senr. Newberry.
63. Livingston Smith. Sn of Wm H and Margaret Wigg, b. March 20th 1839. Baptised May 1, 1839. By Revd Wm H. Barnwell. Okatie.
64. John Jenkins. Sn of Geo C. and Abigail Mackay, b. April 6th 1839. Baptised Augt. 20, 1839. By Revd S. Elliott, Sen. McPhersonville, x sick
65. Isabella Fripp. Dau. of Do., b. Baptised Augt. 13th 1840. By Do. Sheldon Chapel.
66. xJohn (an orphan). [Son of] Cummin, b. Baptised Augt. 20th 1840. By Do. Sheldon Chapel.
67. Nancy Jane. Dau. of Gadi and Barbara Cooke, b. Baptised Sept. 20th 1840. By Do. Crosby's.
68. Elias. Sn of Do., b. Baptised Sept. 20th 1840. By Do. Crosby's.
69. Ann Sophronia. Dau of Do. b. Baptised Sept. 20th 1840. By Do. Crosby's.
70. James Cuthbert. Sn of Thos. R. S. and Mary C. Elliott, b. Baptised Oct. 20th 1840. By Do. Sheldon Chapel.
71. Georgianna Heyward. Dau. of Alfred and Eliza Raoul, b. Baptised Oct. 20th 1840. By Do. Sheldon Chapel.
72. Harriet Rutledge. Dau. of Wm and Anne H. Elliott, b. Baptised Decr. 1840. By Do. Newberry.
73. Lewis. Sn of Wm and _____ Colcock, b. Baptised March _____, 1841. By Do. McPhersonville.

74. Anna Ladson. Dau. of Charles D. and Gibbes, b. April 17, 1839. Baptised April 27th 1841. By Revd. B. C. Webb. Combahee.
75. Middleton Stuart. Sn of Stephen and A. H. Elliott, b. May 10th 1841. Baptised July 8th 1841. By Revd. S. Elliott, Senr. Sheldon Chapel.
76. Charlotte. Dau. of Daniel and Ann Heyward, b. Baptised July, 1841. By Do. Sheldon Chapel.
77. John. Sn of Do., b. Baptised July, 1841. By Do. Sheldon Chapel.
78. Eliza Ford. Dau. of Dr. L. M. and J. H. DeSaussure, b. Feby 4th 1841. Baptised July 21st 1841. By Do. McPher[sonville] Sick.
79. Mary Means. Dau. of Do., b. Feby 4th 1841. Baptised July 21st 1841. By Do. McPher[sonville] Sick.
80. Nancy. Dau. of James and Rebecca Cooke, b. Decr 6th 1840. Baptised Augt. 2d 1841. By Do., near Blountville.
81. Edward James [James Edward?]. Sn of John and Catherine Cooke, b. Decr. 14th 1838. Baptised Augt. 2d 1841. By Do., near Blountville.
82. Priscilla Ellen. Dau. of Do., b. Novr 14th 1840. Baptised Augt. 2d 1841. By Do., near Blountville.
83. Anna. Dau. of Mrs. Anna Crosby, b. Baptised Oct., 1842. By Do. Sheldon Chapel. Adult.
84. Stephen Elliott. Sn of Gadi and Barbara Cooke, b. Baptised Oct., 1842. By Do. Sheldon Chapel. Infant.
85. Anne Barnwell. Dau. of Stephen and Ann H. Elliott, b. Novr., 1842. Baptised Febr. 17th 1843. By Do. Beaufort.
86. Samuel Patterson. Sn of Wm H. and Margaret Wigg, b. Sept. 28, 1842. Baptised Oct. 23, 1842. By Do. Sheldon Chapel.
87. William Milton. Sn of Danl and Ann Heyward, b. Baptised Augt. 24, 1843. By Do. Sheldon Chapel.
88. Joseph Jenkins. Sn of Geo C. and Abigail Mackay, b. Baptised, 1843. By Do.
89. Jessie. Child of Do., b. Baptised, 1843. By Do.
90. Child of Wm and Colcock. Baptised by Do. McPhersonville.

(To be continued)

DIARY OF JOHN BERKLEY GRIMBALL 1858-1865

(Continued from April)

4th. [October 1861.]—Berkley recd. a check for \$100 from his brother John yesterday, with a request that he would invest it for him to the best advantage. Berkley has bought two Confederate Bonds for \$50 each—giving \$97 for them—the balance (\$3) he has handed over to me for John.

The Bonds are numbered 4904 and 4905. I have placed them in my tin box at Robertson, Blacklock & Co's office.

Oct. 8th. Tuesday.—Mrs. John Butler arrived this morning, unexpectedly, from Philadelphia. She came by way of Fortress Monroe—and Norfolk. She dined with us—stays at Mills House.

11th.—Bought cloth for the Negroes—very inferior, but as good as I could get—

400 yds. Twilled—at 40 cts

100 " Plain " 40 "

267 " " 45 "

4 pieces Dome[s]t[ic] Flannel

16th.—200 Needles, 6 lbs Thread, 7 Gross Horn Buttons, 4 Doz. Handkerchiefs [at] \$2. per Doz., 3 Doz and 8 Caps at \$2.50, 7 Caps at \$3.50.

16th. Oct.—My last parcel of Rice was sold today at \$2. per cwt.

19th. Oct. Saturday.—Col. Morris arrived today from Flat Rock—where he has been passing the last three months.

21st.—William, a runaway from the Grove, was arrested and lodged in the Work House, two or three days ago. I was notified of the fact this morning.

22d.—Sch[oon]er Guide (Kroeg) arrived today. 2d load of Rice. Aikens Rice was sold today at \$1.87½ per cwt.

22d.—The Revd. Mr. Prentiss having intimated to me his purpose of going to Rockingham County in N. C. about the 1st. of Nov. "to purchase Negro Shoes" etc. I requested him to get 100 pairs for me—which he will do if he can.

25th. Friday.—Arthur informed me today that he had obtained the place of Shipping Clerk in the Office of Dr. Talley the Medical Director of the Confederate States. His salary is at the rate of \$75 per month.

31st.—I today gave my Sister an order on R. B. & Co. for \$420—the interest on my Bond, which will be due on the 1st. Jany. 1862. As the difficulties of the times are great, it may be a convenience to her to receive this interest thus much in advance.

1st. Novr. [1861.]—I drew (\$300) from R. B. & Co. this morning and with a portion of it repaid to Meta \$25. which I had borrowed from her—also to Ella and Lottie \$55.—and to Berkley \$100. leaving a balance to myself of \$120.

5th. Novr. 1861. Tuesday—The Yankee Fleet attacked our Batteries at Hilton Head today. The engagement lasted about 45 minutes—when they hauled off.

7th.—Firing all day distinctly heard at the Battery and evidently at Port Royal.

8th.—Bad news—the enemy's Fleet have passed the Batteries at Hilton Head and Bay Point—and are on their way to Beaufort. It is said that many of our men have been killed and wounded.

11th.—Went into the Country today to remain—my family in this excited condition of things will stay in town—perhaps all Winter. There is great Panic in town—particularly amongst the women—and many men have removed their families to the interior.

12th.—I find everything up here, (the Grove) on a military footing. Pickets at the landing at night and the Home Guard about in all directions.

15th.—Went to town—and there I shall remain until the 19th.

19th.—Came to the Grove today. There is a portion of a Regiment of Cavalry from the Upper Country under the command of Col. Black, in the neighborhood—Head Quarters at Adams Run. There is a detachment always on duty at Pinebury Landing.

20th.—I went to Pinebury this morning, and meeting Lieut. Taveau, of our Home Guard and Lieut Brown of the Up Country Regiment—invited them to dine with me today and requested Taveau, if he saw Col. Black, to ask him. The above named gentlemen came at 3 O'clock and with them Capt Twigs, Capt. Adams and Lieut. Miller. My dinner was a very small affair for so large a party—being only a Turkey and

pair of Fowls—but I did not in fact expect more than Taveau and Brown—Black was uncertain—and the rest entirely unlooked for. They were however exceedingly gentlemanly men and I regret that being entirely alone and without conveniences of any kind—and with but one servant to cook and wait, I could not give them a better entertainment. I think however they were not dissatisfied—and I am sure I was very happy to see them. These times are productive of great annoyance and disorganization on the Plantation—and our routine of work is entirely deranged. My Cart, with a driver, hauls wood—my own—every day for the Detachment posted at Pinebury. My Flats have been at the disposal of the Government for some time, I found them so, on the 11th. Inst when I came up. On the 18th. my flat, with two hands, Ishmael and Jacob, was taken and sent to Jacksonborough—and there kept until the afternoon of the 21st, it was brought back on the night of the 21st. On the morning of the 22d. my two flats, with three hands in each—Cudjo, Isaac, Thomas, Ben, Jacob, and Charles, were pressed into the service and sent to Edisto Ferry. Up to this day—22d. inst—I have furnished to the Detachment at Pinebury 300 lbs Fodder (Blades), 300 lbs. Straw, 25 bus: Corn. Mr. Bowman has just sent to me a note requesting me to let Col. Black have 10 bus. Rough Rice—for Maj. Murray's Negroes for which the Col. will be responsible.

22d. [Novr.]—Rev'd. Mr. Wilson has put his furniture in my barn for a short time. I gave Rev'd. Mr. Bowman yesterday an order on R. B. & Co. for \$50—for Missionary services during the year now ending. I shall be obliged to reduce my contribution another year.

7th. Decr. [1861.]—Since the last entry things have gone on in much the same way. There is an infantry company—Capt. Miller—belonging to Orr's Regt.—now stationed at Pinebury. Aiken staid with us last night—he has moved all his people except 10 or 12 from Jehossee to town en route for the interior—leaving about—he thinks 15000 bus. of Rice unthreshed in his Barn Yard and fields. He this morning requested as a great favor that I would allow him to bring his rice over and thresh it at my mill. To which I consented reluctantly and upon the following conditions proposed by himself. His Hands are alone to be employed about it. He is to haul the necessary wood from his own land at Cedar Grove. If any injury is sustained by the Mill he is to repair it—and should it be burnt in consequence of his use of it—he is to rebuild it and restore it in the same good order in which he received it. If I send a crop to market next year—he is to pay all the Mill charges in Charleston.

12th.—I learn today that a most disastrous fire occurred in town last night.

13th.—Came to town to see about the family. The fire was most extensive—destroying property to the amount it is supposed 3 or 4 millions. Beginning at the East end of Hasell Street and ending at Bulls house near the West end of Tradd Street—a wide belt diagonally across the City.

16th.—Returned to the Grove. Things much as they were.

20th.—Went to Town today.

21st.—Returned to the Grove.

24th.—Yesterday I began to move my Corn from the corn house at Pinebury, which being near the river might be burnt if the Enemy came this way, to two log houses which I have caused to be built in a dense part of the Pinebury woods towards the Grove—and today with the aid of three ox carts which Col. Morris lent me, completed the removal. The houses were filled and held about 4000 bushels—the corn is on the cob. There remains about 200 bus: in the old corn house at Pinebury—and about 200 at the Grove. I have endeavoured to remove my corn from the Enemy—but I am now afraid our own Troops will take it from me, as they seem to find a difficulty in getting corn for the Cavalry—and if they do God knows what is to become of my Negroes.

25th.—*Christmas day*.—Dine at Col. Morris's—expecting to meet Mrs. Butler who is to come from Savannah by R[ail]Road today.

Military matters have not changed much within the last few days.

29th.—The Enemy are in North Edisto—they are in the vicinity of White Point—they have been making their way up the River towards Charleston. Shooting and shelling as they go—they have since, it is said returned towards the North Edisto Inlet. Genl. Evans, commands this division—and is very active—a large force is being collected at Adams Run and about it—radiating towards different points.

My son Lewis, who came up with me on the 21st. went down again on the 23d. He was sick and is now ill in bed—attended by Dr. Geddings.

30th.—Went to town today. Lewis quite ill—Dr. attending him twice a day. I and John sit up with him tonight.

[2d. Jany. 1862.]—Mrs. Butler arrived at the Bluff 2d. Jany. 1862. Returned to the Grove today. Lewis a little better.

I find they are building a Battery at Pinebury—very near the Grove line—to be armed with two 24 lb. Cannon. Many of my men are at the work and I believe some from the neighbours.

3d.—Returned to town today—anxious about Lewis—found him better and the Dr. visiting but once a day. When in town on the 31st. I told my Factor Mr. Robertson that if Mr. Whaley called for the interest on my Bond to Miss Sabina Morris, he must say to him, that I am ready to pay provided he (Whaley) will give me a guaranty that I shall not be called on to pay again to the Confederate States. Miss Sabina's position in regard to alienship being a little uncertain.

6th.—Came back to the Grove. Enemy still keeps us in harrassing anxiety—coming up to White Point daily and shelling that neighborhood. The Battery is making progress. It is under the superintendence of Seabrook and Elliott—volunteer aids to Evans. Seabrook stays at the Grove by my invitation to be near the work.

10th.—Carroll gave me this morning (\$10) ten dollars of which \$7.25 is in payment of an account I have against him and \$2.50 to subscribe for the Courier—I owe him a balance of .25cts.

[Below is a letter among loose papers in "Book" No. 12:]

January 1st. 1862 — Pine Berry

Dear Sir

Things are no more Squalley now then tha ware when you Left, the Brege that they thought the Yankeys had toon up is all fals. I Beleave the Pickets gards tella a *heap of stories*, they sea negrous in boats a merrey time and Leave thear Station and say its yankeys in Small bots. Gen Ivens has call on me for 15 men to dich up Battres in ower Patatur feal at the Line between *grove* and Pine Berry. Besides tha are all reddey got of Richard and Ben a man [and] waggon all the time halling for the State. half woat they say about yankeys ante true for the *Cal* vessel has arrived from town with 300 Bushels of rice flower for you But no Salt. I cant done eney woork at tall for as soon as I conclude to go at eney import woork tha call on me for hands and Brakes up all of my calkerlations. I hope Dr. Grimball is much [better] and will soon be restored to helth again.

Yours in Haste

S. N. CARROLL

15th. Jany. 1862.—Came to town today.

17th.—Made the following Return to the Collector for Confederate Tax, of my Property in Charleston—

1. 12 Slaves—to wit

- | | |
|----------------------------------|----|
| 1. Sam—works out—aged ab[ou]t | 65 |
| 2. William " " | 66 |
| 3. Kit—Cook absconded 11th Novr. | 45 |

4. Josey—House Servt.	43
5. Peggy " "	75
6. Grace " "	45
7. Patty " "	44
8. Leah " "	13
9. Stephen " "	10
10. Mary " "	8
11. Amy " "	40
12. Delia " "	9
2. Gold Watches (3) Ag[gregate] value	\$250.00
3. Silver Plate— Ag: value	800.00
4. Piano	150.00

C. F. Hanckel is the Collector.

18th.—Handed in to Wm. E. Mikel, the Confed: Tax Collector for the Dist[ri]ct West of King Street, my Sister's Return, and signed as Agent—

THE RETURN IS AS FOLLOWS—

1. House & lot—	\$5000.	
2. Bonds—aggreg:	28400	
3. Watches	200	
4. Plate	1200	
5. Piano	300	
6. Abram—aged 65—(unsound)	Joan [aged] 40	
William " 50	Patty " 40	
Edward " 35	Lizzy " 21	
William " 45	Maria " 14	
James " 15	Lavinia " 8	
William " 12	Juliana " 6 years	
Frank " 4	Sarah " 5	
John " 1	Martha " 2	
Maria " 75	Bella " 70—paralytic and imbecile	

Chisolms Mill on this day 18th. Jany. 1862 owes me, according to Mr. Robt: Chisolm's state[ment] to me this morning—401 bus: Rice flour—for which I was offered by Ryan, the grain merchant, 45 cts per bus: today. On enquiry at the Mill I find they are out of Flour and therefore unable to let me have mine. Chisolm offered me 20 cts per bus. I told him I had 45 cts offered this morning.

I subscribed last summer the proceeds of 150 bbls of Rice to the Confed: loan. The 150 bbls realized \$1900—and that sum having been

paid to the Agent of the Government here, I have received a Confederate Bond for \$1900—bearing 8 per cent interest from 25th. Novr. last. Requiring the money for current expenses I have signed before Pressly, the Sub Treasurer, an assignment to blank and deposited it in Alex: Robertson's hands for sale. Besides this Bond—the balance in my favor on the Factors books amounts at this date to \$1165.68cts.

20th. [January 1862]—Came from town today, bringing up with me my daughters Elizabeth and Charlotte, who will pass a week with their Aunt, Mrs. Heyward Manigault—this morning on the cars Revd. Mr. Prentiss offered me \$150 for my 401 bus: of Rice flour now due me by Chisolm's Mill. I accepted—and will meet him in town next Monday on the subject.

The Fort not yet completed—on my arrival today I found Capt. Seabrook, who left the Grove on the same day that I did, and is just returned. I thought he had left altogether, and was surprised to see him.

The Burnside Fleet—(Enemy) is supposed to intend an attack upon Norfolk.

Found a letter awaiting my arrival from Robertson, Blacklock & Co. informing me that they had to advise the payment today "(15th. Jany. 1862) of \$1900 for your Rice subscription to the Confederate Government: and the Receipt of your Scrip for the same—say No. 41 dated 25th. Novr. 1861: bearing interest from that day; and redeemable 1st. Jany 1867".

Before I left town this morning I gave my son John a letter to Robertson, requesting the latter to deliver the above Bond to him (John).

22d.—Some thirty negroes, fully armed with bright muskets—probably furnished by the Yankees—attacked our Picket at Aikens Bridge over Watis Cut a few days ago—two of the Negroes were killed—none of our men. In consequence of this audacity Genl. Mitchell has today sent over a force of Infantry and Cavalry to Edisto Island with orders to deal summarily with these rascals.

23d.—Lieut. Mitchell staid here last night—he has some post connected with the Fort at Pinebury—and will probably take up his quarters here. Capt. Seabrook, aid to Evans, and charged with the construction of the Fort has been staying at the Grove for nearly three weeks.

25th.—Capt. Seabrook, having finished the Fort left today.

26th.—Lieut. Mitchell having recd. orders to repair to Fort Sumter left today—so that I am now alone again. The Fort is in charge of a

detachment of Capt. Miller's Company, which has been stationed at Pinebury during the past two months.

27th.—Went to town. Lewis quite recovered. He stood his examination today before the Medical Board, and passed—so that now he is Assistant Surgeon in the Confederate Service—Provisional Army. He will receive his appointment from Richmond in about ten days. John is Lieut. in command for the present of the Confed: Steamer "Lady Davis", Lieut. Rutledge having been ordered, with the greater part of the men, to some Defensive work near Savannah. John chafes at being kept here—but must obey orders. Elizabeth and Lottie went down with me.

The 17th. Regt. in which Berkley, William and Arthur are, is at Wadmalaw, not far from Rockville.

Rev'd. Mr. Prentiss gave Meta the other day \$75—the half of what he is to give for the flour—he will pay the balance he says, next month. Being obliged to go into the Country he could not wait to see me. I wrote a receipt for that sum, which, together with an order on the mill for the 401 bus: of flour on R. B. & Co.'s letter stating that the mill owed me that quantity but at this moment was unable to furnish it, I enclosed [it] in an envelope and directed it to Mr. Prentiss. Holmes—the Sexton, came for the letter this afternoon and took it.

30th.—Returned from town, and at Adams Run made the following Return to J. S. Murray, Deputy Collector, for the Confederate Tax—

Real Estate	\$50,000
To wit Grove	\$34,000
Pinebury	16,000

	\$50,000
Slaves—Male and Female—and of all ages	132
Two Pleasure Carriages	\$200
The Slaves are assessed at \$500 each—	
My Tax in St. Pauls Parish is therefore upon	
Lands	\$50,000
Slaves	66,000
Carriages	200

	\$116,200

I think the lands are returned at too high a valuation—being the value in 1858, and so told the Collector. My Tax at the rate of 50 cts per \$100—will amount in the aggregate, embracing the tax, (Confed. in Town)—to \$617.00.

Military matters in much the same state except that more troops have arrived at Adam's Run.

4th Feb: [1862]. Capt. Miller's Company left Pinebury on the 28th last—rejoin Orr's Regt. on Sullivan's Isld. The Battery was for some days after left in charge of Lieuts Mitchell and Haynesworth with a detachment Reg. Artillery from Capt. Blandings Company The Capt and Lieut. Johnson being at the Bluff with the rest. A Company of Infantry under Capt Ryan, at the end of that time came to Pinebury, and Mitchell's detachment being withdrawn to the Bluff, took charge of the Battery.

*6th. Feb:—*My son Lewis arrived at the Grove today. He has been for a few days in St. John's on a visit to his friend Sinkler.

*9th.—*Arthur arrived at the Grove today, just as we were commencing dinner—Having come up for a few days.

Lieut. Mitchell with a Detachment of Regulars [is] again in charge of the Battery.

*11th.—*Lewis returned to town today.

*14th.—*I and Arthur came to town today.

Mitchell has been taking his meals with me, every day since his return to this Post. He sleeps at the Battery. Capt. Blanding dined with me yesterday.

Lewis has recd. intimation that he will be soon put on duty.

*15th.—*Lewis today recd. orders from Genl: Ripley to join Col. Donovants Regt. near Rantowles. He also recd. orders from the War Department to report to Genl: Lee his whereabouts.

John also has received orders from Com: Tatnal through a Despatch to Capt. Ingraham to proceed without delay to Savannah with his Mid: and Men. Ker of the Huntress and his men are also ordered there.

*16th.—*Lewis and John left for their respective Posts this morning by R. Road.

*18th.—*Bad news from the West. Our Troops defeated—13000 taken prisoners—and Nashville surrendered. The most disastrous blow of the war.

*19.—*Returned to the Grove today. The News from the West proves to have been greatly exaggerated—Nashville not taken—and our loss much—very much less than reported by the Telegraph.

Received a note from Mr. Morton Clement who was appointed one of the Commissioners upon the subject—under the Convention—but de-

clines to act—informing me that all Planters without a line drawn from Wiltown bluff to Simmons Bluff—are advised to remove their Negroes inland.

21st.—My son William came up today to pass a few days. He is hoping to get a Commission in the Regular Service.

Called upon Genl: Evans to know more particularly about this removal of Negroes—found him very civil, but so taken up with his military views and expectation of attack that I could not bring him to anything very definite. To move or to stay seems to be equally ruinous to my prospects. I have never been more harrassed and perplexed in my life—the future for me black as night—nothing visible but impending poverty.

26th.—Wrote to Mr. Clement proposing to hire the Plantation up the Edisto, formerly belonging to Kit Walter. He replies that I am welcome to the use of it, the open land however about the old building, he needs for his own planting—the balance of open land about 20 or 30 acres, and the rest of the tract, I can have.

27th.—I have sent my men with Mr. Carroll to Walters to put up log houses for my corn and people, should it be necessary to move.

28th.—Dr. Fred Geddings and Johnny Creighton—the latter one of the Corps of Guides—dined with me today.

1st.—March—1862—Told by most people that I ought to move my Negroes, I came to town today to make inquiries for a plantation to which to move them.

3d.—Today whilst we were at dinner, Adam came down from the Grove—sent by Mr. Carroll the overseer to inform me that nearly all the Negroes—and the best of them had disappeared from the Plantations during the past night—about 80 of them according to Adams account—men women and children. He says that the pickets reported that a Steamer had come up to Jehossee mill during the night—and that Mr. Carroll, on being informed—went out to hurry the Negroes to a place of safety—but found them already gone. They may have gone in the Steamer. It is said that some of Haseldin's Negroes are gone likewise.

5th.—Having been very unwell I was unable to leave town before today. At the office of S[avannah] and Charleston R[ail]Road I engaged a car to bring my Negroes, those that remain, to town on Friday, the day after tomorrow. The following are still on the Plantation—[*list of names of 60 Negroes omitted by Editor.*]

8th. March—Of the above I have sent 45 to town—and retained 15 on the Plantations. Those retained are marked thus x [on the list]. Those

sent to town are in the Work House for safe keeping until I can get a place in the Upper Country—34 went down yesterday I and my son William accompanying them—and 11 went today under the charge of Mr. Carroll. The following list comprises all who have gone away—[*list of 72 names, and a revised list showing their ages are omitted. Editor.*]

This is a terrible blow and has probably ruined me. It certainly has, if in the course of events I do not regain them, and this is exceedingly doubtful.

15.—Went to town today—my Negroes still in the Work House. My son Berkley who had gone to the Upper Country in search of a Plantation to hire has returned unsuccessful.

17th.—Dick exceedingly ill in the Work House with Typhoid fever. Moved him and the rest to the yard today. I shall leave town for Barnwell Dist. tomorrow to look for a Plantation.

19th.—Went to Blackville yesterday—stopped at the Rev. Mr. Wilson—formerly Methodist Missionary at Edisto—very kindly entertained, but my visit fruitless. Returned to town today. Dick better. Nat and Abram sick.

20th.—Professor Porcher had kindly written to several friends in St. John's Berkley to know if any of them would take my Negroes for the present year—working them for their provisions and clothing. Their labour being for the benefit of the person taking them. Mr. I. DuBose Porcher has written agreeing to do so.

Such is my condition at this time that even for this arrangement I am deeply grateful to the kindness of the Professor.

24th.—I this morning sent off forty Negroes (40) under the charge of my son William to Monks Corner—the nearest station to Mr. Porcher's Plantation. Abram, Nat, Dick and his Mother (Venus) with Stephen's daughter Amy will go up when the sick are well enough. Having seen them off I left town for the Grove.

25th.—March—William has returned from Mr. I. DuBose Porcher's Plantation, having delivered the subjoined Negroes into the charge of the overseer—40 in all—[*List omitted. Editor.*] The following will go later [*five names omitted*]. The following old Negroes and children are now at the Grove—at Adams Run with the Overseer [*16 names omitted*]. These with the overseer's family would consume 20 bus: of Corn per Month. Horses not included.

5th. April 1862—I delivered yesterday 400 bus. Rough Rice—and today 400 more, to Mr. Cox, Col. Ashe's overseer, making 800 in all which

17th.—Came to town today, bringing with me Mona and Ned—Lawyer John's children. Col. Morris and Mrs. Butler came down likewise. The former in feeble health. He stays with us—The latter at the Mills House.

18th.—Sent off to join the others at Mr. I. DuBose Porcher's Plantation in St. John's—the following Negroes—

Abram	aged about	45	years	Venus	aged about	53
Dick	"	18	"	Amy	"	12
Nat	"	20	"			

They went to Monks Corner Station on the No. Eastern R. Road.

21st. April.—Henry was arrested last Ev[enin]g—taken to the Guard House—and this morning transferred to the Work House.

23d.—Left town today—and arrived at Darlington C. H. at a little after 8 O'clock P.M.

24th.—Hired a Carriage and visited Col. Law and with him the house he is willing to rent for \$100—a very good house—and he says in a very healthy country—two miles from his own residence at Hartsville. It is however, very far from the R. Road—18 or 19 miles.

25th.—Hired a Carriage and visited Springville, a summer resort 3 or 4 miles from Darlington C. H. to see a house, which is offered for rent by Revd. Mr. R. Furman Whilden. He demands \$200 to Jany.

26.—Returned to town this morning stopping at Florence last night.

28th.—Mr. Ed. M. Barnwell called here this morning and left with me a portion of a letter he had recd. from his Father—to the effect that Rhett the Provost Marshall insists upon a trial of Col. Morris's negroes—and that the trial will take place in Charleston about the end of the present week.

1 May [1862].—Went to Aiken yesterday—dined with my friend Finley and in the afternoon looked about for a house to rent. Left it the same night and arrived in town a little after daylight today.

3d.—Went to the Grove yesterday and in the Ev[enin]g to Mr. Manigaults where I slept. Returned to town today. This afternoon the man who bought Henry brought him here for his clothes. His name is William D. Yant—he lives at Fayetteville Tennessee—is a shoemaker by trade, and seems to be a kind man.

6th.—Col. Morris and Mrs. Butler went to Spartanburg.

7th.—Recd. from Mr. I. S. K. Bennet, Broker, \$815—proceeds of sale of Henry after deducting expenses. He was sold Bennet tells me for \$850. The purchaser Yant, told me on Saturday that he paid \$950. This I told Bennet, who explained it I don't entirely understand how.

12th.—Adelle, Mrs. Butler's maid came down from Spartanburg today.

13th.—Paid Thomas Cordray today \$35 in full for his services, with his dogs, that is no services at all—for a year ending 6th. Feb. 1862—no renewal of agreement.

15th.—Left town by the night train for Columbia, en route for Spartanburg.

17th.—Arrived at Spartg. this afternoon—having missed connection yesterday with the Greenville train, yesterday morning.

21st.—Wednesday—Arrived this morning between 2 and 3 from Spartanburg—having left it yesterday morning at $\frac{1}{2}$ past 4. I have engaged the East wing of St. John's College for my family at \$40 per month—my sister takes half the accommodation—we are to move up our own furniture—and find ourselves.

I had the Draft on the Bank of Charleston which Mrs. Butler gave me, cashed (\$300) and am to take the amount to her. I also delivered to Martins, the Brokers in Broad, Mrs. Mathewes Keys, according to her directions. Everything is in great confusion here—and it is supposed that 15000 persons have left the City. The Enemy is at Coles Isl[an]d.

21st.—Mrs. Butler gave me, before I left Spart[anbur]g, a Draft for \$300 in her favor on Bnk of Charleston: which she desired me to have cashed for her and bring up the money. I presented it this morning and recd. the money.

26th.—Mrs. Butler in a letter to Meta, has requested me to ask Mr. Sass the Presdt of the Bnk of Charleston to place the \$300 above mentioned in the Columbia Bnk to her credit. I accordingly called at the Bnk. and delivered the \$300 to Mr. Sass, who undertook to carry out Mrs. Butlers wishes.

Two days ago, on the 24th. inst. Meta recd. a note from Mr. Rose, Presdt. So. Western R.R. Bnk, informing her that "a remittance of \$1360" has been placed to her credit in that Bnk. I called at the Bnk. saw Mr. Rose—the money will remain on Deposit—subject to her check.

The above sum of \$1360, is made up of the two semiannual Int. due on \$19400, which sum her Father has given to her as well as to

each of his other children. It is however in the shape of a portion of an individed Bond due to himself, and payable with the Int. in New York. This money has come through the Bnk of England through the Agency of the So. Western R. R. Bnk. It is made of the semiannual Int. due on the 10th. Sept. 1861—and that due on 10th. March 1862.

30th. May—I this day, after much anxious thought and with much reluctance—Returned my Debts to Miss Josephine Morris, and to Miss Sabina Morris—to Dr. Williman, The Deputy in the office of John Y. Stork, Receiver. I owe \$14500 to each. In my return I state that I do not know that they are alien enemies—and that I believe they are Natives of South Carolina. This matter has given me a great deal of anxiety as to what I ought to do. I have adopted the plain course of obeying the law.

31st.—I today addressed a note to Mr. William Whaley informing him that I had felt myself obliged to make the above mentioned Return—and giving him notice of its having been made.

7th. June 1862—Saturday—We, the family arrived today at Spartanburg, where we are to pass perhaps a month or two perhaps a year—the war will determine this point. I have engaged the East Wing of St. John's College—containing seven rooms, besides two basement rooms and a long gallery for the servants. I engaged it with a view to the accommodation of my sisters family as well as my own—but she declines. The rooms are for the most part of unusually large size. I pay \$40 per month—may give it up at any time, or keep it for a year, from 1st June inst. Our things not having arrived we are staying at the Walker House.

9th.—Moved today to our rooms in the St. John's College. My Sister and her Daughters arrived at Spartanburg this afternoon—they stop at the Walker House.

13th.—Mrs. Butler and Col. Morris are staying at the Walker House. The former and Mr. Heyward Manigault who is also at the Hotel on a visit of a few days, dined with us today.

15th.—I was to have gone to Charleston yesterday morning, but was so ill with pain all along the lower part of the left side of my abdomen, the night before, that I was obliged to send for Dr. Boyd about 12. OClock—a strong dose of morphine—and towels wrung in hot water relieved me—but I was in bed all yesterday.

18th. June—Wednesday—Arrived in town from Spartanburg this morning towards daybreak—having left Sp[artanburg] yesterday morn-

ing ¼ before 10. Registering the names of the Passengers at the Military Post at the Depot—and dropping people at their respective houses, before the coach came down town made it very late when I reached my own house No. 38 Meeting Street. Sam opened the door for me. Here I found a circular from the Bnk of Camden, informing all who had Boxes, or packages of any kind deposited with them that they would not be responsible for their safe keeping, if the enemy came into the interior, or threatened to do so. I also found a Telegram from John, who had telegraphed me from Atlanta, Geo. on Wednesday 4th. June, that he was unexpectedly out of funds, and requested me to send him \$50. On the receipt of this I at once, the same Evening, sent him that sum by mail, posting the letter myself—and telegraphed him to that effect. I left town for Sp[artanburg] on the 6th. The Telegram I found at the house this morning was dated 8th.—informing me that he had rec[eive]d my Telegram, but not my letter with the money, and that he was still waiting for it. I was greatly concerned at this and went at once to the Factor's office, to get their advice. There I found a letter from John dated 9th.—he could wait no longer, and having borrowed from a Midshipman whom he met at Atlanta, enough to carry him back to the Arkansas, he would leave Atlanta that night. He had requested Lieut. McCorkle, C.S.N., to take charge of my letter if it came. Nothing can be done about this. I trust however that the letter by this time is in John's hands and the money too.

I paid my Gas bill to 28th. May and requested that the Gas might be shut off, as the family would be out of town for some time. I also paid to R. B. & Co. \$38.—the amount of my City Tax which Mr. Moodie had kindly paid for me. I also paid to Mr. Jas. Ravenel, the quarter's rent of No. 38 Meeting Street, which will be due on the 21st. inst. \$150.

20th. June—Called upon Henry D. Lesesne, Capt: of Reserves, to ascertain what my position was to Military duty—being 62 years old lacking 3 days. Am told that those of my class are destined for Patrol duty but that they have not yet been called out. Requested him to recollect that if I can be of any service, he must call upon me—which he promised to do.

The sanguinary fight of Monday last on James Isld. is likely to be renewed today—that at least is the impression.

I met Carroll and Col. Ashe's Overseer Cox, at Panknins this morning. The former paid me \$120, the proceeds of the sale of Romulus and Leviathan.

20th.—This afternoon I found at the Factors Office a letter for my wife from the North. I opened it and it proved to be from her Cousin

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Mary Wilcocks—informing her of the serious illness of Mrs. McAlister, Mrs. Butler's daughter, and leaving it to Meta to inform Mrs. Butler, should she deem it advisable. She says the Drs. think very unfavorably of her case.

21st.—It was too late last Ev[enin]g to forward the above mentioned letter—and I did so today. As Mrs. Butler is very much attached to this her only child surviving, I think it highly probable she will desire to go to her at once. I therefore called upon Mr. Miles to ascertain what are her chances of getting a permit to pass our lines. He told me there was little or no chance of her being able to do so—Offered however to give a letter to the Sec. of War, Mr. Randolph, repeating his conviction that it would be of no avail. I accepted the letter.

22d.—I wrote to my son Berkley and his brothers enclosing \$10 for each of them—and gave the letter into Berkley Wilkins' hands myself, this afternoon. He goes up on Tuesday.

23—Berkley Wilkins tells me he will not go up tomorrow. I have therefore received the letter back—and given it into the hands of Lieut. Henry Lowndes of "the Marines" who goes up tomorrow.

This is my birth day. I am now 62 years old. Non quatis eram. May God preserve my five boys, who are in the service of their Country.

25th.—I this morning deposited in the Bnk of So. Ca. \$552.05 cts. against which I have drawn a check in favor of W. W. Clement, Tax Collector for St. Paul's Parish, or his order. This is for the payment of my Confederate Tax. The full Tax is \$581.10. Deduct 5 per cent on account of its being paid at this time—and there remains as my Tax—\$552.05. I enclose the Check to Mr. Clement by the mail which goes tomorrow.

26th.—Left town last night and arrived at Spartanburg to dinner today. Find Col. Morris and Mrs. Butler established in our house. Mrs. Butler is anxious to go to her daughter, and I shall leave with her and her maid for Richmond tomorrow.

30th. *June*—Reached Richmond today about 12 OClock—having come by way of Charlotte and Raleigh—a very long way—we passed a night at Raleigh—the cars not going on—and another at Petersburg—the Car not arriving in time to connect.

Richmond exceedingly crowded, and the greatest excitement pervades the City, owing to the great battle which began near Chickahominy on Tuesday the 26th. and is still in progress. Our success has

been very great, and there is every reason to hope that the whole of the Northern Army will be captured or destroyed. Wrote to Meta.

1st. July [1862]—Accompanied by Mrs. Butler I called at the Treasury this morning to see Mr. Memminger. He told Mrs. Butler he thought there would be no difficulty in her obtaining a Passport through our lines, that I must leave the letter with him, and call tomorrow. He thought her difficulty would be in the journey—she would be obliged to hire a carriage (and at this time there is none the Government needing them all) and endeavour to get to Fredericksburg. I, after this interview, walked over to the Hospital where our wounded are—saw no one I knew. I then called upon the Revd. Mr. Barnwell at his Lodgings—and gave him \$50. for the benefit of the Hospital. Could hear nothing of Arnoldus Vanderhorst or Charley Porcher.

2d. July—The battle was still going on at last accounts—with success on our part but accompanied with terrible loss. It is said, the enemy has been reinforced. It is now raining hard and has been for some time—what awful sufferings follow in the train of war.

I called this morning a little after 9. upon Mr. Memminger at his office. He has not heard from the Sec: of War—had given him Miss Wilcocks and Mr. Miles letters. The Sec: of War was near the battle field all day—and Mr. M. supposes had no time to attend to private matters. I am to call again tomorrow.

3d.—Still news of fighting and wounds and death. McClelland is endeavouring to escape—and our Genl. is endeavouring to prevent his doing so. I trust it will end in the destruction or capture of the whole Army. I have been in every direction trying to hear of Charley Porcher. I infer that he is safe thus far—the gallant little fellow.

I called again this morning on Mr. Memminger, about the Passport for Mrs. Butler. It has not yet been acted upon by the Sec. of War. I am to go there again tomorrow. Mrs. Butler repaid me the money for her travelling expenses and that of her maid, from Spartanburg to this City—amounting to \$61.00—my expenses have been 32.00.

4th. July—Called again on Mr. Memminger—who sent one of his clerks with me to the War Office—he succeeded in getting the Passports for Mrs. Butler and her white servant maid.

The water here has made me quite unwell. I walked over to the Hospital at Manchester of which Dr. Ned Geddings has charge and got a prescription from him. We have now to procure a hack for Mrs. Butler, which at this time is very difficult. The water disagrees with me giving

me pain. I walked to the Hospital over which Ned Geddings presides and obtained from him a prescription. The walk, under the circumstances, was too long and this evening I have some fever. I trust I am not going to be sick here.

5th.—I feel better, tho still feverish and suffering.

The difficulty as to the mode of getting to the North not yet solved. Mrs. Butler is naturally very anxious to be on her way.

6th.—The Cars are running on the Fredericksburg Road for perhaps 20 miles, and from that point it is said a line of Stages, began to run yesterday to Milford or Bowling Green—which is about 20 miles from Fredericksburg and near the enemy's lines. Mrs. Butler has determined to try this mode of reaching Philadelphia. She will leave Richmond tomorrow morning. I this morning lent to her—one hundred dollars (\$100) for which she has given me a check on the Bank of Charleston.

7th. July—I put Mrs. Butler and her maid Adelle, on the Cars toward Fredericksburg this morning at 6 OClock. They go by these Cars—about 18 miles—as far as the junction of the Fredericksburg and Central R. Road—and then they will probably hire a carriage of some kind—it is said that a line of stages has recently started from that point to Milford or Bowling Green. Called at the Navy Department and learn that John is still on board the Arkansas. I then had Mrs. Butlers two trunks taken to the office of the Express Comp[any]. They are directed to the care of Thomas Nickerson—Columbia So. Ca. I paid the freight \$7.—she left \$8 with me for this purpose. I then went to the Post Office and posted her letters to Judge Law and Mr. Nickerson. The day is excessively hot and I am much weakened by my bowel affection.

8th.—Last afternoon I left Richmond at ½ past 2 OClock—very hot—and the cars so full I could get no seat and was obliged to stand all the way—distance about 23 miles. Passed the night at Petersburg—the heat was so great I could not sleep. Left Petersburg this morning for Weldon—arrived there between 11 and 12. and took the Cars for Raleigh. Reached Raleigh about 6.

9th.—Left Raleigh last Evening about ½ past 6—and travelling all night arrived at Charlotte about ½ past 7. this morning. The Charlotte Cars by Schedule leave for Columbia at ¼ before 9—but the track this morning was injured by the running off of a Freight Train and we were delayed until near 12.—arrived at Columbia after Gas light. Stopped at the Congaree—Nickerson's being full.

10—Left Columbia by the Greenville Cars about ½ past 7—and taking the Spart[anburg] and Union Cars at Alston—reached Spart: C. H.

at 2. O'clock. Found the Col's buggy—a purchase since I went away—at the Station waiting for me. Rode home, and thank God found all my family in good health.

17th.—Telegraphic News from Vicksburg tells of the heroic passage down the Yazoo and Mississippi rivers, of the Confed. Steamer Arkansas, of which John is 3d. officer—Lieut. Brown commands—Lieut. Stevens 1st. Lieut. and Lieut. John Grimball 2d. Lieutenant. Tho the killed and wounded on board number about 20—as no officer is mentioned amongst the hurt we trust John has not been injured.

29th. July.—By this days mail a letter came for Mrs. Butler, from Mrs. Pennington of Baltimore, containing two notes from Mrs. Judge McAlister, the last of which announced the death on the 29th. June at New Port, of Mrs. Julian McAlister, Mrs. Butler's daughter. Mrs. Butler has probably reached the North long ere this.

We have heard from John by Telegram and letter and through Telegrams from Lieut. Stevens to his wife in this Place since the 17th. The feat of the Arkansas has elicited the admiration of the whole Confederacy.

1st. Aug. [1862]—My funds at this date consist of the following—

In Confed: Notes	\$1420.00
" "	340.00
Check from Mrs. B[utler]	100.00
Bank notes	965.00
	<hr/>
	\$2825.00
Also in Confederate Stock	1900.00
Also to Mrs. Grimball's credit	
in So. West. R.R. Bank	1360.00

2d. Aug.—A letter from William announcing that he, two days before he wrote, had recd. from Richmond the appointment of 2d. Lieut in Calhoun's Artillery, Provisional Army, now stationed at Fort Sumter. He is much pleased and so are we. We don't know to whom to attribute this good turn for we have made efforts in William's behalf in several Quarters. W. Thinks it may be Wm. P. Miles. He requested me to send his trunk of Clothes to him at once—and tomorrow I shall send Adam to Columbia with it—then he will put it in charge of the Express for Charleston.

3d.—Adam went to Columbia this morning. I wrote to William yesterday—and to John today.

9th. Aug.—Today's Columbia Paper announces the destruction of the Arkansas by her own officers and men to prevent her falling into the hands of the enemy. It seems her machinery got out of order, when she was on her way down the River to aid Genl. Breckenridge in an attack on Baton Rouge. Her officers and crew are said to have escaped. She was fiercely attacked by Federal Gunboats, when in her disabled condition.

13th.—Mr. Heyward Manigault, who has been making us a visit left today.

20th. Aug.—Last Evening after dark, it being one of the days when the Cars come in late—we were delighted by the unexpected arrival of our son John—dearer to us than ever from the dangers through which he has so lately passed. He remains with us until the day after tomorrow. He then leaves to return to the Mississippi

22d. Friday—John left us this morning for Vicksburg. Mr. and Mrs. VanderHorst and their son Arnoldus also went down.

1st. Sept. [1862] Monday—On Friday night the Cars came in late—an official letter came by the mail for John. I opened it and found that it contained orders from the Navy Department to John to detach himself from Flag Officer Lynch and to report at once to Flag Officer V. M. Randolph—on board the C. S. Steamer Baltic at Mobile. The letter had been forwarded from Jackson, Mississippi to this place, by Lieut. Stevens. It was too late to do anything about it for the next mail which left at ¼ past 4 on Saturday. There was no mail on Sunday. On Sunday afternoon however, I resealed the Secretary's letter and addressed it to "Mobile Alabama, care of Flag Officer V. M. Randolph." I also wrote to John, directing to the same place—and another letter to him directing to Jackson, (Miss.) All of which letters were posted last afternoon and I presume went off this morning.

I this morning loaned to my sister \$30—there being great confusion just now in Confederate bills, owing to extensive counterfeits lately discovered. Almost all my money is in bills of the issue that has been counterfeited, but as they were paid to me at the Bank, I presume they are genuine.

On last Thursday (28th.) the two Mikells—William and Waring came to see us—they were here for a day or two on a visit to their Relatives.

(To be continued)

MARRIAGE AND DEATH NOTICES FROM THE CITY GAZETTE
OF CHARLESTON 1824

Compiled by ELIZABETH HEYWARD JERVEY

(Continued from April)

Departed this life, at his residence, in Orangeburg District, on the 3d ult. Mr. Timothy Barton. He was an affectionate husband, tender parent and benevolent man. . . . [He leaves] a large circle of friends, who, with an afflicted family, sensibly feel his loss and deplore his death. (Saturday, May 8, 1824.)

The Friends and Acquaintances of Mr. and Mrs. Halsal, and the members of the Lutheran and Methodist Churches, are invited to attend the funeral of Mrs. John Halsal, from her late residence Read-street, between King and Meeting-streets, This Morning at 10 o'clock without further invitation. (Saturday, May 8, 1824.)

Died, at his residence, in St. Matthews Parish, on the 26th ult. Colonel Andrew Heatly, in the sixty-fourth year of his age, deservedly esteemed and regretted. (Monday, May 10, 1824.)

Died, at Ashepoo, on the 2d inst. Col. Peter B. Girardeau, aged 50 years and eight months. . . . He believed firmly in a future state, and trusted in a merciful God. He did to all as he wished they should do unto him; he spoke unkindly of none. . . . He was highly instrumental to the building of the present church at Ashepoo; it was done by his personal exertions, conjointly with those of the late Mr. William Price and Mr. Charles Webb. He was indefatigable till it was finished. He has left an affectionate wife and a lovely babe to lament their irreparable loss. (Wednesday, May 12, 1824.)

Died, at his residence in Chesterfield, on Sunday the 2d inst. in the 39th year of his age, after a protracted illness George W. Coore, Esq. Commissioner in Equity of Chester Dist. (Saturday, May 15, 1824.)

Died, on the 23d March, at Homachita, near Natchez, aged 61 years, the Hon. Jonathan H. Walker, of Pittsburg, Judge of the U. States Dis-

trict Court for the Western District of Pennsylvania, a whig and soldier of the Revolution. (Saturday, May 15, 1824.)

Died, in Corinth Vt. Jane Brown, relict of Samuel Brown, late of Chester, N. H. aged 102. Her death was occasioned by falling into the fire while attempting to light her pipe, when no one was in the room. (Saturday, May 15, 1824.)

Died, at Norfolk, (Va.) on the 16th inst. after a lingering illness, which he sustained with pious resignation to the Devine will, Philemon Gatewood, Esq. Naval Officer of the Customs for the above port, an office which he had filled with exemplary fidelity ever since the adoption of the Constitution. He had attained the venerable age of 73 years, and by his uprightness and urbanity of manners, had won the general esteem. (Tuesday, May 25, 1824.)

Married, at New-York, on Saturday evening 15th inst. by the Rev. Dr. Schaeffer, Capt. Adolphus T. J. Lacoste, of this city to Miss Julian Cheetham, of the former city. (Friday, May 28, 1824.)

The Friends and Acquaintances of Mrs. H. Crosby. and Nathaniel Cooper are invited to attend the Funeral of the former, (without a more particular invitation) This Afternoon, at half-past 3 o'clock, from her late residence No. 64 Anson street. (Friday, May 28, 1824.)

A Jury of Inquest was impannelled yesterday morning, on Edmondston's wharf, to enquire into the cause or causes which led to the death of Battis, an Englishman: the deceased was supposed to have been the steward of the brig, Convoy, Capt. Thorp. . . . Verdict of the Jury, accidental drowning. John Michel, Coroner. (Saturday, May 29, 1824.)

Died, in this city, on the 19th ult. after a short but severe illness Mr. Alexander Don, aged 67; a native of Drumkillbo, (Scotland) but for the last 40 years an inhabitant of this city. (Tuesday, June 1, 1824.)

Died at Philadelphia, on the 22d, after a short illness, in the 62d year of his age, the Rev. Henry Holcomb, D.D. Pastor of the First Baptist Church of Philadelphia. Also, Mr. Thomas Hopkins, Sen. aged 98 years. (Tuesday, June 1, 1824.)

Died, in Baltimore, on Monday the 24th May 1824, Gen. William H. Winder, in the 49th year of his age. [*Long eulogy omitted.*] Balt. American. (Tuesday, June 1, 1824.)

Died, at New Orleans, on the 10th May, William Kenner, Esq. merchant aged 48 years. (Thursday, June 3, 1824.)

Died, at Montgomery, (Alabama) on the 18 April last, Mr. Charles Crawford, brother of the Secretary of the Treasury, aged about 47 years. (Thursday, June 3, 1824.)

Died, at Merietta, on the 1st ult. Gen. Rufus Putman, aged 86 years. In this instance of mortality, we recognize the departure of another Revolutionary patriot. (Friday, June 4, 1824.)

Died, in this city, on the 4th inst. in the 47th year of his age. Mr. Calvin Day, Printer, a native of Massachusetts. (Saturday, June 5, 1824.)

(To be continued)

NOTES AND REVIEWS *

Justice William Johnson, the First Dissenter: The Career and Constitutional Philosophy of a Jeffersonian Judge. By Donald G. Morgan. (Columbia: The University of South Carolina Press, 1954. Pp. xv, 326. Frontispiece, appendices, index. \$6.50.)

Of the ninety judges who have sat on the Supreme Court of the United States, three have been South Carolinians. Two of these, John Rutledge and James Byrnes, were members of the Court only two years each. The third was a Charlestonian, William Johnson, whose thirty-year term of service on the Court (1804-34) has been exceeded by only six other justices. It has long been known that Johnson was a man of independent mind and that he opposed some of the strong Federalist leanings of his two best-known colleagues, John Marshall and Joseph Story. Professor Morgan, who teaches government at Mount Holyoke College, has now for the first time furnished detailed proof of these aspects of Johnson's thought. He has also presented convincing evidence that Johnson did not merit either Thomas Cooper's scornful opinion that he was "a conceited man without talents" or James L. Petigru's contemptuous verdict that "God knows how little he was fit" for his place on the Supreme Court.

Although a Republican in politics and an appointee of Thomas Jefferson, Johnson felt enough sympathy for nationalism to uphold implied powers and a broad Federal control of commerce. Yet he was strongly skeptical about judicial omniscience. He believed that judges are as subject to error as anybody else; and he felt that judicial power, like all power, ought to be kept under careful scrutiny and check. He believed firmly that the legislative branch of the government, not the courts, bore the responsibility for carrying out the intention of the Constitution. "Courts of justice," he once said, "are properly excluded from all considerations of policy, and therefore are very unfit instruments" to order particular courses of positive public action.

Dr. Morgan's book is based on wide research and is carefully and thoughtfully written. But as biography it suffers from two conspicuous defects. One is that, except for making it clear that Johnson was modest

* This department will print queries not exceeding fifty words from members of the Society. The charge to non-members is one dollar for fifty words or less. Copy should be sent to The Secretary, Fireproof Building, Charleston 5, S. C., at least three months in advance of publication.

and utterly fearless, Dr. Morgan has not drawn a very clear picture of the man. The second is that, instead of adhering to some recognizable system of chronology in describing Johnson's career as a judge, he has elected to write a series of chapters, each a unit in itself (and as if each were intended as an article for a learned journal), about some aspect of the Justice's constitutional thought. For example, in a chapter called "The Republic and its Families," Dr. Morgan analyzes Johnson's views of the right relationship between the Federal government and the states; and in doing so, he ranges over nearly two decades and discusses the ideas that Johnson set forth on that subject in every important case between *Mills vs. Duryea* (1813) and *Craig vs. Missouri* (1830). Dealing with a judge in this way results in a series of thorough analytical essays, but it produces tedious and repetitious biography. For example, by the time *Cohens vs. Virginia* is discussed for the eighth time (on each occasion in a different light), it has grown very tiresome. Dr. Morgan's two most satisfactory chapters, oddly, are those describing episodes in which Johnson was acting, not as a justice of the Supreme Court, but as a leading citizen of South Carolina. In the one he severely condemned South Carolina's hysterical handling of the Denmark Vesey plot, and in the other he brusquely, even raspily, opposed his state's course in nullifying the tariff.

Emory University

JAMES RABUN

Fourteen Hundred and 91 Days in the Confederate Army: A Journal Kept by W. W. Heartsill for Four Years, One Month and One Day. Edited by Bell Irvin Wiley. (Jackson, Tennessee: McCowat-Mercer Press, 1954. Pp. xxiv, 332. \$6.00)

This is a journal written by a Confederate soldier who enlisted at the beginning of the war, believing "that the struggle will be short; not exceeding twelve months", and continued in service until May 20, 1865. The day to day account is noteworthy for personal modesty, and never does he put in a bid for his share of glory. Another characteristic is the author's great optimism for and loyalty to the Confederacy. Even during the soul-testing period that he was to spend in a Federal prison camp in Illinois, his patriotism never wavered, and he looked with scorn on those who took an oath of allegiance to the Union. When Lee surrendered at Appomatox Court House, he had hopes that the South west of the Mississippi River might continue the struggle.

The one important battle in which Heartsill saw action was Chickamauga, but he writes always as an onlooker rather than a participant.

The value of the book is not in the military interpretations but rather the descriptions he gives of conditions behind the battle lines in the war-torn South. The poverty of the countryside, attitudes of the people including the "Greybacks" who were Southern disloyalists, sacrifices of the women, refugeeing, and other evidences of disarrangement and breakdown are cited. In November 1863, Hartsill with some other Texans had tired of serving under Bragg at Chattanooga, and began a four-month odyssey back to Texas, where they could continue the war in their own way. The daily description of this trip through enemy lines is especially valuable for its portrayal of the disintegrating ante-bellum South.

The book was originally published as a tribute to the W. P. Lane Rangers, the unit in which Hartsill had served, and, like so many histories of a military unit, it is cluttered with names that mean nothing to the general reader. This book also is a facsimile of the early edition published in 1876, which results in small, not too distinct type. This may be of some interest to the antiquarian but it does not facilitate reading. Despite these handicaps, it is extremely interesting, and Bell I. Wiley and the McCowat-Mercer Press are to be commended for making widely available another important source item of Confederate history which had formerly been a collector's item.

CHARLES L. ANGER

Incidents in My Life: The Autobiography of the Rev. Paul Trapier, S. T. D. No. 7, Publications of the Dalcho Historical Society of the Diocese of South Carolina. Edited by George W. Williams. (Charleston 1954. Pp. 66. Illustrations, appendix, notes. \$2.00.)

This booklet presents a new chapter in church history during the years from 1806 to 1872, and a biographical story that reflects the times in which Paul Trapier lived as well as their impact upon his sensitive nature.

Accurately typed from the originals by Mrs. Henry Jervey, and printed by photo-offset, the Trapier manuscripts have been enhanced in value by good editing. Mr. Williams modestly says his work "has been confined almost exclusively to dividing the text into paragraphs and chapters," but his eighty-four illuminating notes attest to far more. Six of the eleven illustrations are from the camera of Charles Richard Banks.

The Dalcho Historical Society has rendered a notable service in making the Trapier manuscripts available in an inexpensive but scholarly form.

ANNE KING GREGORIE

Old Cokesbury in Greenwood County, South Carolina. By John W. Moore. (Greenwood: The Index Printing Company, 1955. Pp. 32. Illustrations. Appendices. \$2.00.)

This interesting pamphlet is a labor of love by its author, who records therein an historical sketch and his own recollections of a unique school and its community.

Originating in the early 1800's as Tabernacle School, and flourishing some years at the next location, Mount Ariel, the school in 1834 became Dougherty Manual Labor School of the South Carolina Conference. About the same time the name of the surrounding village of Mount Ariel was changed to Cokesbury, so the school immediately became commonly known as the Cokesbury Conference School. In 1854 the Masonic Female College was built, and twenty-two years later became the Cokesbury Conference School. When this was ended in 1918, the building was acquired by Cokesbury School District, which used it for the public school until 1954.

Old Cokesbury preserves a valuable bit of local history and will awaken nostalgic memories in many readers. Thirteen pictures show the churches, school buildings, and fine old homes of this one-time stronghold of Methodism.

A. K. G.

Beaufort County South Carolina. By N. L. Willett. (Beaufort: Beaufort County Chamber of Commerce, 1953. Pp. 36. Illustrations.)

This is the fourth revision of the original booklet prepared in 1929. Attractive in format, with readable text and interesting pictures, it gives much of the historic background and current information on the lovely county which it seeks to promote.

Requests for Information

Mrs. Allen W. Rice, 124 W. 11th Street, Apt. 3, Little Rock, Ark., invites correspondence and exchange of data on Simpson, Nichols, and Horan families of Laurens County, S. C. Anna, daughter of John and Barbara Simpson, married William Horan; their son William, born 1808, married Naomi, born 1812, daughter of Charters Nichols, who died 1826 in Laurens County. William and Naomi moved to Mississippi in 1850.

David L. Payne, Box 101, Carrabelle, Fla., wants: (1) names, dates and places of birth, dates of death, and burial place, of parents of

Archibald Payne, Camden District, S. C. (census of 1790); (2) was he an immigrant from England to Charleston, 1760-1790? (3) Was he the Archibald Payne of Kershaw District (census of 1830)? (4) When, whom and where did he marry? (5) Was Benjamin Payne the son of Archibald of Kershaw?

Mrs. Samuel S. Wood, Box 621, Pacolet, S. C., asks help on the lines of: (1) Jasper Bush, Revolutionary soldier of Camden District; member of German Protestant Reformed Church in Richland County, 1788; died in Oglethorpe County, Ga., in 1836. (2) John Grainger, in Horry County, married Charity Buffkin, and died in 1826; (3) Edward Grantham, in Horry County, Census of 1830.

Mrs. Myrtle Kershaw Pelayo, 1204 North Street, Baton Rouge, La., wants names of Mary Eyre Breton's parents. Mary married in 1792, at Charleston, Charles Kershaw (1760-1835). Their son Newman (1794-1840) married 1st, Anne Inglesby, issue six children; 2nd, Emeline Inglesby (1808-1836), issue James C.; 3rd, Ann Graves, no issue.

Mrs. Louise Reid Rainer, Box 114, Yazoo City, Miss., wants information on families of: (1) Joseph Reid, of York County, who sold land to Richard Kennedy in 1838; his daughter Elizabeth married William Randolph Hill, his daughter Nancy married a Witherspoon; his sons were: John D., William Mitchell, and James Sims; (2) George Ross, M.D., married in Maryland in 1769, Isabel Montgomery; their son George married Sophia Saxon Elmore. The Elmore, Ross, and Lewis families moved to Texas through Alabama.

Mrs. Carl Garner, 1307 Johnson Street, Lufkin, Texas, wants names of wife and children of Thomas Ramsey, of McLendon County, N. C., father of John Dinwidie Ramsey, born near Charleston, October 25, 1795.

Walter Weston Folger, 205 Island Avenue, Chattanooga 5, Tenn., asks where was filed administration of estate of John Anderson of Ninety-Six District (Spartanburg County) by his widow Sarah. He served in the Revolution in Georgia and South Carolina, and died about 1783.



